2006

Resolutions

#93

Resolution #	Project Name	Page #	Minutes Pg. #	Item #
APRIL				
1813-2006	General Pipe Bursting 2006	1	2	6
7086-2006	Greenway Trails	2	2	7
	2005 FWMBC - Fire Stations # 18 & #19	4	3	18
	2005 FWMBC - Fire Stations # 18 & #19	5	3	18
	2006 Computer Lease Payment	6	3	19
	SRF - 2002 (W.O. 74595)	7	3	16
	SRF - 2005 (W.O. 74742, W.O. 75003, W.O. 74750)	8	3	17
7082-2006	Public Sidewalk Curb Ramp Package B	9	6	4
304-2006	East Drive and West Drive Street Light Improv.	12	6	3
1794-2006	Stormwater System Improvements	14	9	2
1715-2004	Appeal to the Board of Works	15	7	15
	Purchase Agreement - 802 Wagner Avenue	17		
7051-2005	McCormick Avenue	23	10	4
7085-2006	Arlington Parkway N. & St. Joe Ctr. Rd. Traffic Signal	26	10	5
93-4-5-06-1	Issuance of the Waterworks Revenue Bond	29	17	10
93-4-5-06-2	Public Safety Academy Financing	33	17	11
	SRF - 2005 WPCP Primary Clarifiers Project	40	12	21
	2006 Computer Lease Payment	41	13	22
	2006 Computer Lease Payment	42	13	22
	2006 Computer Lease Payment	43	13	22
1119-2006	Wallen Rd.-Medallion Run to Wallen Lake & Sutters Cove Ordinance	44	17	7
		46		
1756-2005	Lime Sludge Pumping & Draw-Off Control Phase 1	122	17	8
[illegible]9-2006	Blower #8-5 kV Cable Replacement Project	123	19	25
[illegible]8-2006	Hillsboro Addition Concrete Street Repairs	125	17	9
	Bid Form for Sale-6022 Maplecrest Road	127		
MAY				
7084-2006	Resurfacing Package B	1	2	9
1576-2006	Long Rd. (Shordon to Fox Home) - Water Main Ext.	4	2	8
7097-2006	Concrete Street Repairs 1, 2, & 3	6	2	10
7055-2005	Appeal to the Board of Works	8	3	18
	SRF - 2005 WPCP Primary Clarifiers Project	10	3	20
	SRF - 2005 WPCP Dechlorination Project	11	3	19
7087-2006	South Wayne Avenue Phase 1	12	6	2
7095-2006	Miscellaneous Construction Package 4 - 2006	14	6	3
93-5-24-06-1	Intent to Sell Real Estate - 1500 Viola Avenue	16	6	4
7031-2005	Appeal to the Board of Works	20	8	19
7031-2005	Appeal to the Board of Works	22	8	19
	2002 FWMBC Transportation Building Project	24	8	18
93-5-17-06-3	Financial System Software/Hardware Lease Financing	25	12	23
93-5-17-06-4	Street Vehicle & Equipment Lease Financing	29	13	23
7094-2006	Resurfacing Package A	33	11	10
7093-2006	Miscellaneous Construction Package 6A - 2006	36	11	9
1748-2005	St. Joe Dam Improvements Phase B	38	11	8
93-5-17-06-1	SRF Preliminary Engineering Report	39	11	11
93-5-17-06-2	Signatory Authorization Resolution for Water SRF Proj.	40	11	12
	SRF-2005 WPCP Primary Clarifiers/Dechlorination Proj.	41	12	21
	2006 Computer Lease Payment	42	12	20
[illegible]91-2006	Resurfacing Package C - 2006	43	16	10

Digitized by the Internet Archive
in 2015

https://archive.org/details/minuterecord93r9342unse

Resolution #	Project Name	Page #	Minutes Pg. #	Item #
7092-2006	Sunsets Drive - Stratford to Crestwood	46	16	11
1535-2006	South Monroe Street Water Main Replacement	49	16	9
1864-2006	Riverbend Bluffs Lift Station Phase Converter to VFD Repl.	50	16	8
93-5-10-06-3	Acceptance of Exsisting Sanitary Sewer as Public System	51	16	7
7047-2005	Appeal to the Board of Works	53	17	21
7055-2005	Appeal to the Board of Works	55	17	21
1806-2006	Concordia Gardens/Riverton Drive Stormwater Sys. Improv.	57	22	2
7088-2006	Public Sidewalk Curb Ramp Package A	58	19	4
7090-2006	Surface Milling for Street Dept.	60	19	5
1862-2006	Third Street Relay Protection Repair	62	19	3
7047-2005	Appeal to the Board of Works	64	20	15
JUNE				
93-6-28-06-2	Ratification of the Sale of Bonds - FWMBC	1	2	9
305-2006	Aboite Annexation Intersection Lighting	17	1	5
1532-2006	Lillian and Trinity Water Main Replacement	18	2	6
7102-2006	Production Road	19	2	7
	SRF - 2002 WPCP Headworks Project	21	4	26
	SRF - 2005 WPCP Primary Clarifiers/Dechlorination Proj.	22	4	25
299-2005	East State Boulevard Street Light Improvement	23	6	5
7098-2006	Cook Road, Phase 2	24	6	6
7099-2006	Jefferson Boulevard Resurfacing	26	7	7
	2006 Computer Lease Payment	28	8	19
	2005 FWMBC - Fire Stations #18 & #19	29	8	18
[illegible]7-2005	Dewatering System at Third Street Light Station	30	10	4
	2006 Computer Lease Payment	31	12	26
	2006 Passenger Vehicle Lease	32	12	25
	2006 Passenger Vehicle Lease	33	12	25
93-6-7-06-1	Intent to Sell Real Estate-2600 Block of Perth St.	34	16	7
7089-2006	Concrete Street Repairs 4A-2006	38	14	5
7096-2006	Fairfield Avenue Streetscape	40	14	6
	2005 Passenger Vehicle Lease	42	16	14
	2006 Computer Lease Payment	43	16	15

Resolution #	Project Name	Page #	Minutes Pg. #	Item #
JULY				
93-7-26-06-1	Amending Resolution 92-4-27-05-1	1	2	13
7100-2006	Putnam Street Walks	11	1	5
7075-2006	Colonial Heritage / Crown Colony	13	1	2
1834-2006	Lime Sludge Line Force Main Capacity Improv. Phase 2	16	1	3
	SRF 2005 Dechlorination/Primary Clarifiers/Parkerdale	17	3	19
	2006 Financial System Lease	18	3	21
	2006 Street Department Lease	19	3	23
	2006 Passenger Vehicle Lease	20	3	22
	2006 Computer Lease	21	3	20
	Offer to Purchase Real Estate	22	7	6
93-7-19-06-1	Intent to Sell Real Estate - 2124 Winch Street	24	9	26
7104-2006	Miscellaneous Concrete Repairs and Curb Ramps	27	7	7
7103-2006	Old Mill and Rudisill Blvd.	29	12	7
93-7-12-06-1	Emergency Concrete Repair A	33	12	6
93-7-5-06-1	Rothman Road Pump Station	36	15	3
AUGUST				
1868-2006	Motor Control Center "Q" Improvements	1	1	5
7108-2006	Miscellaneous Construction Package C	2	1	6
	SRF - 2002 WPCP Headworks Project	4	3	17
	SRF 2005 Dechlorination/Primary Clarifiers/Parkerdale	5	3	18
7107-2006	Wilt Street Reconstruction	6	6	3
7109-2006	Towpath Trail, Phase 3 Construction	9	6	4
[illegible]8-23-06-1	Approval of Land Donation - Towpath Trail	14	7	6
[illegible]3-23-06-2	Support for Septic Relief Efforts	22	7	7
	Announcement of PreQualified Cured-In-Place Pipe	26		
	2006 Computer Lease	29	8	23
	2005 FWMBC Fire Stations #18 & #19	30	8	22
	2005 FWMBC Fire Stations #15	31	8	22
	SRF - 2002 WPCP Headworks Project	32	12	11
7106-2006	Miscellaneous Construction Package	33	16	6
1858-2006	Plant 1 West Clarifier Drive Replacement	35	15	5
	SRF 2005 Dechlorination and Primary Clarifiers Projs.	36	17	21
93-5-24-06-1	Award - Real Estate 1500 Viola Avenue	37	20	6
1803-2006	Soil Treatment Cells Closure	39	20	8
7105-2006	South Anthony Boulevard	40	20	9
	SRF 2005 Dechlorination and Primary Clarifiers Projs.	42	22	29
	Bid Form for Sale of 2600 Perth Street	43	19	5
SEPTEMBER				
1908-2006	Bellaire Drive Water Main Extension	1	1	4
	SRF - 2002 WPCP Headworks Project	5	8	16
	SRF - 2005 WPCP Primary Clarifiers Project	6	8	17
	SRF - 2005 WPCP Dechlorination Project	7	8	18
93-9-13-06-1	Special Ordinance	8		
93-9-13-06-1	2006 Fire Truck & Equipment Lease Financing	12	11	6
1852-2006	Plant 2 Slide Gate Replacement	16	11	8
1926-2006	Winchester Rd - Water Main Replacement	17	11	7
	2005 FWMBC Fire Stations #18 & #19	18	12	24

Resolution #	Project Name	Page #	Minutes Pg. #	Item #
	2006 Computer Lease	19	12	23
	2006 Passenger Vehicle Lease	20	12	22
OCTOBER				
93-10-25-06-1	Bremer Rd. Emergency Repair	1	1	2
	SRF 2005 Dechlorination/Primary Clarifiers/Parkerdale	6	2	9
7110-2006	Abbott St.- Oxford St. to Drexel Ave.	7	4	2
93-10-18-06-1	Science Central Retaining Wall Demolition	9	4	3
93-10-18-06-2	Intent to Sell Real Estate - 1421 E. Wallace Street	10	4	4
	Authorizatoin for Release of Escrow	16	5	17
1814-2006	General Open-Cut Sewers	17	8	2
	SRF 2005 Dechlorination/Primary Clarifiers/Parkerdale	18	10	17
93-9-13-06-1	Award: 2006 Fire Truck Lease Financing	19	12	3
93-7-19-06-1	Purchase Agreement - 2124 Winch St.	21	12	4
	2005 FWMBC Fire Stations #18 & #19	23	13	14

Resolution #	Project Name	Page #	Minutes Pg. #	Item #
NOVEMBER				
1867-2008	Electrical VFD's for Liftstations Upgrade	1	1	1
	SRF - 2002 (W.O. 74595)	2	4	12
1680-2006	North Pump Building and Electrical Building	3	8	3
	Controller's Office - Passenger Vehicle Lease Financing	4	10	16
	2006 FWMBC Public Safety Academy Escrow Payment	5	10	17
	Controller's Office - Fire Truck Lease Financing	6	10	16
	2006 Financial System Lease Payments	7	9	15
	2006 Computer Lease Payment	8	9	15
93-11-1-06-1	Water Main Ownership Transfer - 2511 Taylor Street	9	16	4
93-11-1-06-2	Construction of Law Enforcement/Firefighters Memorial	14	16	5
	Controller's Office - Passenger Vehicle Lease	15	18	19
	2006 Computer Lease Payment	16	18	18
DECEMBER				
	City Utilities Budget 2007 Financial Highlights	1	4A	1
	2007 City Utilities Budget-Water, Sewer, Electric and Yard	2	4A	1
	2007 City Utilities Budget-Stormwater	3	4A	1
93-12-20-06-2	Rate Increase-Ft. Wayne Water Pollution Control Utility	4	3	19
93-12-20-06-1	Canterbury High School Fencing Phase 3	8	1	2
	SRF - 2005 (W.O. 74742)	10	3	16
	SRF - 2002 (W.O. 74595)	11	2	14
	SRF - 2005 (W.O. 74742 & W.O. 75003)	12	2	15
7077-2006	Appeal to the Board of Works (In Regard to 7077-2006)	13	6	12
	2006 FWMBC Public Safety Academy Escrow Payment	15	6	11
	SRF - 2005 (W.O. 74742, W.O. 74750, W.O. 75003)	16	6	9
	2005 FWMBC - Fire Stations #18 & #19 Escrow Payment	17	11	18
	2006 Street Department Lease Escrow Payment	18	11	18
	2006 FWMBC Public Safety Academy Escrow Payment	19	10	16
	2006 Financial System Lease	20	11	18
	Controller's Office - Fire Truck Lease Financing (2006)	21	11	17
	2006 Computer Lease Payment	22	11	18

RESOLUTION NO. #93-1-4-06-1

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE STORMWATER MANAGEMENT DISTRICT OF THE CITY OF FORT WAYNE, INDIANA, AUTHORIZING THE ISSUANCE AND SALE OF REVENUE BONDS OF THE STORMWATER MANAGEMENT DISTRICT TO PROVIDE FUNDS TO BE APPLIED TO THE COSTS OF CERTAIN STORMWATER IMPROVEMENTS AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH STORMWATER MANAGEMENT DISTRICT AND OTHER RELATED MATTERS.

WHEREAS, the Stormwater Management District of the City of Fort Wayne, Indiana (the "District"), is a special taxing district and the area within the jurisdiction of the Department of Stormwater Management (the "Department") of the City of Fort Wayne, Indiana (the "City"), created pursuant to the provisions of Indiana Code 8-1.5-5, as amended from time to time (the "Act"), and previously established by the Common Council of the City; and

WHEREAS, the Act authorizes the issuance of bonds of the District payable solely from revenues of the District in lieu of a special tax to be levied upon all the taxable property in the District; and

WHEREAS, on December 21, 2005, this Board approved and adopted Resolution No. 92-12-21-05-1 (the "Declaratory Resolution") finding that it will be necessary and of public utility and benefit to the inhabitants of the District to issue revenue bonds in an aggregate principal amount not to exceed Seventeen Million Dollars ($17,000,000), to procure funds which will be applied to the costs of the stormwater improvements (as hereinafter more particularly described), which amount (together any investment earnings thereon) does not exceed the total cost of such improvements and extensions, as estimated by the Board; and

WHEREAS, on January 4, 2006, after notice and a public hearing thereon, the Board confirmed the Declaratory Resolution by the adoption of Resolution No. 93-1-4-06-1; and

WHEREAS, this Board has properly determined that the Project is necessary and of public utility and benefit in accordance with the Act and has previously adopted general plans, specifications and cost estimates for the stormwater improvements described herein; and

WHEREAS, this Board further finds that the estimates prepared with respect to the costs of acquisition, construction and installation of such stormwater improvements (as defined in Indiana Code 36-9-1-8, as amended, and in the Act), and including all authorized costs relating thereto, including the costs of issuance of bonds, on account of the financing of all or a portion thereof, will be in an amount not to exceed Seventeen Million Dollars ($17,000,000); and

WHEREAS, this Board finds that to provide funds necessary to pay for the costs of the Project, it will be necessary for the District to issue revenue bonds in an amount not to exceed Seventeen Million Dollars ($17,000,000); and

WHEREAS, this Board now finds that all conditions precedent to the adoption of a resolution authorizing the issuance of revenue bonds of the District to provide the necessary funds to be applied to the costs of the stormwater improvements described herein pursuant to the Act, subject to and independent upon the terms and conditions hereinafter set forth and all authorized costs relating thereto, have been complied with in accordance with the provisions of the Act;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Stormwater Management District of the City of Fort Wayne, Indiana, as follows:

Section 1. Acquisition, Construction and Installation of the Project. The District, acting by and through the Board, is hereby ordered, authorized and directed to proceed with the

acquisition, construction and installation of stormwater improvements as described herein, pursuant to the Act and in accordance with the plans, specifications and cost estimates heretofore prepared and filed with the Board, which plans, specifications and cost estimates are hereby reaffirmed and readopted and, by reference, incorporated fully into this Resolution. The actions of the District in connection with the acquisition of any and all necessary property and the acquisition, construction, installation, and financing of such stormwater improvements are hereby authorized, approved, ratified and confirmed.

Where used in this Resolution, the term "District" shall be construed also to include any department, board, commission or officer or officers of the District or of any District department, board or commission.

Section 2. Description of the Project. The improvements to be funded with the proceeds of the bonds (collectively referred to herein as the "Project") consist of the acquisition, construction and equipping of structures for ten (10) or more large-scale drainage problems located throughout the City and also improvements to address flooding along Spy Run Creek, St. Mary's River and Fairfield Ditch.

The District, acting by and through the Board, shall proceed with the acquisition, construction and installation of the Project and shall enter into all contracts necessary or appropriate for such purpose, in conformity with and subject to the requirements and conditions set forth in this Resolution and in the Act.

Section 3. The Bonds. In accordance with the Act and for the purpose of providing funds with which to pay the costs of the Project, together with all authorized costs relating thereto including the costs of issuance of the Bonds, as hereinafter defined, on account thereof, the Controller of the City (the "Controller") is hereby authorized and directed to have

prepared and to issue and sell one or more series of negotiable bonds of the District, issued in the name of the City in the manner provided in Section 6 of this Resolution. The Bonds shall be designated as the " City of Fort Wayne, Indiana, Stormwater Management District Revenue Bonds of 2006" in an aggregate principal amount not to exceed Seventeen Million Dollars ($17,000,000) (the "Bonds"), the principal of, redemption premium, if any, and interest on which are payable solely out of the Bond and Interest Redemption Account (as hereinafter defined). The Bonds shall be valid and binding special revenue obligations of the District payable solely from and secured by an irrevocable pledge of and constitute a first charge upon all of the net revenues (herein defined as gross revenues after deduction only for the payment of expenses for operation and maintenance) derived from the District, to be set aside into the Bond and Interest Redemption Account as herein provided. The District shall not be obligated to pay the Bonds or the interest thereon except from the net revenues of the District, and the Bonds shall not constitute an indebtedness of the City or the District within the meaning of the provisions and limitations of the constitution of the State.

The Bonds shall be issued as fully registered bonds in denomination or denominations of Five Thousand Dollars ($5,000) and any integral multiples thereof not exceeding the aggregate principal amount of such Bonds maturing in any one year. The Bonds shall be numbered consecutively from 06R-1 upward and shall bear interest at a rate or rates not exceeding eight percent (8.0%) per annum, the exact rate or rates to be determined by bidding. Said interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). All Bonds maturing on the same date shall bear the same rate of interest, and the interest rate on Bonds of a given maturity must be at least as great as the interest rate on Bonds of any earlier maturity. Interest on the Bonds shall be calculated on the basis of twelve (12) thirty (30)-day months for a three hundred and sixty (360)-day year and shall be payable semiannually

on February 1 and August 1 in each year (each an "Interest Payment Date"), commencing on August 1, 2006. The principal of the Bonds shall mature serially and annually on August 1 of each year, over a period ending no later than twenty (20) years after the date of issuance of the Bonds, in such amounts that will produce as level annual debt service as practicable on the Bonds, and in the years and amounts, as deemed advisable by the financial advisor of the District and all as set forth in a written certificate executed by the Controller of the City acting for and on behalf of the District prior to the sale of the Bonds (the "Issuer's Certificate").

The Bonds shall bear an original issue date which shall be the date of issuance of the Bonds (unless otherwise provided in the Issuer's Certificate), and each Bond shall also bear the date of its authentication. Any Bond authenticated on or before the fifteenth (15th) day of the calendar month immediately preceding the first Interest Payment Date, shall pay interest from its original issue date. Any Bond authenticated thereafter shall pay interest from the Interest Payment Date next preceding the date of authentication of such Bond to which interest thereon has been paid or duly provided for, unless such Bond is authenticated after the fifteenth day of the calendar month immediately preceding the Interest Payment Date and on or before such Interest Payment Date, in which case interest thereon shall be paid from such Interest Payment Date.

The Controller acting on behalf of the District is hereby authorized to appoint a registrar and a paying agent for the Bonds (respectively, the "Registrar" and the "Paying Agent" and, in both such capacities, the "Registrar and Paying Agent"). The Registrar and Paying Agent shall be charged with and shall by appropriate agreement undertake the performance of all of the duties and responsibilities customarily associated with each such position, including without limitation the authentication of the Bonds. The Controller acting on behalf of the District is authorized and directed to enter into such agreements and understandings with the Registrar and

Paying Agent and any subsequent Registrar and Paying Agent as will enable and facilitate the performance of its duties and responsibilities, and is authorized and directed to pay such fees as the Registrar and Paying Agent may reasonably charge for its services in such capacity, and such fees may be paid from the Bond and Interest Redemption Account established herein.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent upon giving thirty (30) days' notice in writing to the Board and by first-class mail to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the Board. Any such notice to the Board may be served personally or sent by certified mail. The Registrar and Paying Agent may also be removed at any time as Registrar and Paying Agent by the Board, in which event the Board may appoint a successor Registrar and Paying Agent. The Board shall notify each registered owner of Bonds then outstanding by first-class mail of the removal of the Registrar and Paying Agent. Notices to registered owners of the Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar. Any predecessor Registrar and Paying Agent shall deliver all of the Bonds and cash in its possession with respect thereto, together with the registration books, to the successor Registrar and Paying Agent. The Controller is hereby authorized to act on behalf of the Board with regard to any of the aforementioned actions of the Board relating to the resignation or removal of the Registrar and Paying Agent and appointment of a successor Registrar and Paying Agent.

Principal of and any redemption premium on the Bonds shall be payable at the principal corporate trust office of the Paying Agent. Interest on the Bonds shall be paid by check or draft mailed or delivered by the Paying Agent to the registered owner thereof at the address as it

appears on the registration books kept by the Registrar as of the fifteenth (15th) day of the month immediately preceding the Interest Payment Date or at such other address as may be provided to the Paying Agent in writing by such registered owner. All payments on the Bonds shall be made in any coin or currency of the United States of America which, on the dates of such payments, shall be legal tender for the payment of public or private debt.

Each Bond shall be transferable or exchangeable only on the books of the District maintained for such purpose at the principal corporate trust office of the Registrar, by the registered owner thereof in person, or by his or her attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his or her attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. Each Bond may be transferred or exchanged without cost to the registered owner, except for any tax or other governmental charge which may be required to be paid with respect to such transfer or exchange. The Registrar shall not be obligated to make any transfer or exchange of any Bond (i) during the fifteen (15) days immediately preceding an Interest Payment Date or (ii) after the mailing of notice calling such Bond for redemption. The District, the Registrar and the Paying Agent may treat and consider the person in whose name any Bond is registered as the absolute owner thereof for all purposes including the purpose of receiving payment of, or on account of, the principal thereof, and redemption premium, if any, and interest thereon.

In the event any Bond is mutilated, lost, stolen or destroyed, the District may cause to be executed and the Registrar may authenticate a new Bond of like date, maturity, series and

denomination as the mutilated, lost, stolen or destroyed Bond, which new Bond shall be marked in a manner to distinguish it from the Bond for which it was issued; provided, that in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed Bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the District and the Registrar, together with indemnity satisfactory to them. In the event that any such mutilated, lost, stolen or destroyed Bond shall have matured or been called for redemption, instead of causing to be issued a duplicate Bond, the Registrar and Paying Agent may pay the same upon surrender of the mutilated Bond or upon satisfactory indemnity and proof of loss, theft or destruction in the case of a lost, stolen or destroyed Bond. The District and the Registrar and Paying Agent may charge the owner of any such Bond with their reasonable fees and expenses in connection with the above. Every substitute Bond issued by reason of any Bond being lost, stolen or destroyed shall, with respect to such Bond, constitute a substitute contractual obligation of the District pursuant to this Resolution, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this Resolution, equally and proportionately with any and all other Bonds duly issued hereunder.

In the event that any Bond is not presented for payment or redemption on the date established therefor, the District may deposit in trust with the Paying Agent an amount sufficient to pay such Bond or the redemption price thereof, as appropriate, and thereafter the owner of such Bond shall look only to the funds so deposited in trust with the Paying Agent for payment and the District shall have no further obligation or liability with respect thereto.

Section 4. Book-Entry Form. The Bonds shall initially be issued and held in book-entry form on the books of the central depository system. The Depository Trust Company, its

successors, or any successor central depository system appointed by the District from time to time (the "Clearing Agency"). The District and the Registrar and Paying Agent may, in connection therewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to accomplish or recognize such book-entry form Bonds.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency (1) any such Bond may be registered upon the books kept by the Registrar and Paying Agent in the name of such Clearing Agency, or any nominee thereof, including CEDE & Co., as nominee of The Depository Trust Company; (2) the Clearing Agency in whose name such Bond is so registered shall be, and the District and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of and interest on such Bond, the receiving of notice, and the giving of consent; (3) neither the District nor the Registrar and Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on behalf of which, or otherwise in respect of which, any such participant holds any interest in any Bond, including, without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any Bond or any responsibility or obligation hereunder with respect to the receiving of payment of principal, premium, if any, or interest on any Bond, the receiving of notice, or the giving of consent; (4) the Clearing Agency is not required to present any Bond called for partial redemption prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed

to the method for noting such partial redemption; and (5) payment of the principal of and interest on the Bonds may be made by wire transfer or other method acceptable to the Clearing Agency.

If either (i) the District receives notice from the Clearing Agency which is currently the registered owner of the Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the Bonds or (ii) the District elects to discontinue its use of such Clearing Agency as a Clearing Agency for the Bonds, then the District and the Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the Bonds and to transfer the ownership of each of the Bonds to such person or persons, including any other Clearing Agency, as the holder of the Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the Bonds, shall be paid by the District.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar and Paying Agent shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owners of the Bonds as of a record date selected by the Registrar and Paying Agent. For purposes of determining whether the consent, advice, direction or demand of a Registered Owner of the Bonds has been obtained, the Registrar and Paying Agent shall be entitled to treat the beneficial owners of the Bonds as the holders of the Bonds.

Section 5. Optional Redemption of the Bonds. The Bonds maturing on or after August 1, 2017, shall be subject to redemption at the option of the District, in whole or in part (but

only in authorized denominations), upon thirty (30) days written notice to the registered owner or owners of Bonds to be redeemed, on any date on or after August 1, 2016, in order of maturities determined by the District, and by lot within any such maturity or maturities by the Registrar, at a redemption price equal to the principal amount of the Bonds to be redeemed, plus interest accrued on the Bonds to the date fixed for redemption and without premium.

Official notice of such redemption shall be mailed by the Registrar and Paying Agent by certified or registered mail at least thirty (30) days prior to the scheduled redemption date to each of the registered owners of the Bonds called for redemption (unless waived by any such registered owner) at the address shown on the registration books of the Registrar and Paying Agent, or at such other address as is furnished in writing by such registered owner to the Registrar; provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any Bond shall not affect the validity of the proceedings for the redemption of any other Bonds. The notice shall specify the redemption price, the date and place of redemption, and the registration numbers (and, in case of partial redemption, the respective principal amounts) of the Bonds called for redemption. The place of redemption may be at the principal corporate trust office of the Registrar and Paying Agent or as otherwise determined by the Board. Interest on the Bonds (or portions thereof) so called for redemption shall cease to accrue on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the redemption date and when such Bonds (or portions thereof) are presented for payment. Any Bond redeemed in part may be exchanged for a Bond or Bonds of the same maturity in authorized denominations equal to the remaining principal amount thereof.

In addition to the foregoing notice, the Board may also direct that further notice of redemption of the Bonds be given, including without limitation and at the option of the Board,

notice described in paragraph (a) below given by the Registrar and Paying Agent to the parties described in paragraphs (b) and (c) below. No defect in any such further notice and no failure to give all or any portion of any such further notice shall in any manner defeat the effectiveness of any call for redemption of Bonds so long as notice thereof is mailed as prescribed above.

(a) If so directed by the Board, each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (i) the CUSIP numbers of all Bonds being redeemed; (ii) the date of issue of the Bonds as originally issued; (iii) the rate of interest borne by each Bond being redeemed; (iv) the maturity date of each Bond being redeemed; and (v) any other descriptive information needed to identify accurately the Bonds being redeemed.

(b) If so directed by the Board, each further notice of redemption shall be sent at least thirty-five (35) days before the redemption date by registered or certified mail or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(c) If so directed by the Board, each such further notice shall be published one time in The Bond Buyer of New York, New York or, if the Registrar believes such publication is impractical or unlikely to reach a substantial number of the holders of the Bonds, in some other financial newspaper or journal which regularly carries notices of redemption of other obligations similar to the Bonds, such publication to be made at least thirty (30) days prior to the date fixed for redemption.

Upon the payment of the redemption price of the Bonds (or portions thereof) being redeemed and if so directed by the Board, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds (or portions thereof) being redeemed with the proceeds of such check or other transfer.

Section 6. Execution and Authentication of the Bonds. The Bonds shall be executed in the name of the City, for and on behalf of the District, by the manual or facsimile signature of the Mayor of the City (the "Mayor") and attested by the manual or facsimile signature of the Controller, who shall cause the seal of the City or a facsimile thereof to be affixed to each of the Bonds. The Bonds shall be authenticated by the manual signature of the Registrar, and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed. In case any official whose signature appears on any Bond shall cease to be such official before the delivery of such Bond, the signature of such official shall nevertheless be valid and sufficient for all purposes, the same as if such official had been in office at the time of such delivery. Subject to the provisions of this Resolution regarding the registration of the Bonds, the Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

Section 7. Security and Sources of Payment for the Bonds. The Bonds, when fully paid for and delivered to the purchaser or purchasers thereof, together with any bonds hereafter issued on a parity therewith (to be referred to hereinafter collectively as the "Bonds," unless the context otherwise requires), as to both principal and interest, shall be valid and binding special revenue obligations of the District, payable solely from and secured by an irrevocable pledge of and constituting a first charge upon all of the net revenues derived from the District to be set aside into the Bond and Interest Redemption Account as herein provided. The District shall not be

obligated to pay the Bonds or the interest thereon except from the net revenues of the District, and the Bonds shall not constitute an indebtedness of the City or the District within the meaning of the provisions and limitations of the constitution of the State.

Section 8. Form of the Bonds. The form and tenor of the Bonds shall be substantially as set forth in Appendix A attached hereto and incorporated herein as if set forth at this place (with all blanks to be filled in properly and all necessary additions and deletions to be made prior to the delivery thereof).

Section 9. Issuance, Sale and Delivery of the Bonds. The Controller is hereby authorized and directed to have the Bonds prepared, and the Mayor and the Controller are each hereby authorized and directed to execute and attest the Bonds in the form and manner herein provided. The Controller is hereby authorized and directed to deliver the Bonds to the purchaser or purchasers thereof after sale made in accordance with the provisions of the Act and this Resolution, provided that at the time of said delivery the Controller shall collect the full amount which the purchaser or purchasers have agreed to pay therefor, which shall be not less than 99.0% of the par amount of the Bonds, plus accrued interest thereon to the date of delivery, if any. The proceeds derived from the sale of the Bonds shall be and are hereby set aside for application to the costs of the Project, and including all authorized costs relating thereto, including the costs of issuance of the Bonds. The authorized officers of the District are hereby authorized and directed to draw all proper and necessary warrants and to do whatever other acts and things that may be necessary or appropriate to carry out the provisions of this Resolution.

The Bonds shall be sold at public sale in accordance with Indiana law. Prior to the sale of the Bonds, the Controller, on behalf of the District, shall cause to be published a notice of intent to sell two times at least one week apart in the Fort Wayne News-Sentinel, Fort Wayne

Journal Gazette, and the Court & Commercial Record. The notice must state that any person interested in submitting a bid for the Bonds may furnish in writing, at the address set forth in the notice, the person's name, address, and telephone number, and that any such person may also furnish a facsimile number. The notice must also state: (1) the amount of the Bonds to be offered; (2) the denominations; (3) the dates of maturity; (4) the maximum rate or rates of interest; (5) the place of sale; and (6) the time within which the name, address and telephone number must be furnished, which must not be less than seven (7) days after the last publication of the notice. Each person so registered shall be notified of the date and time bids will be received not less than twenty-four (24) hours before the date and time of sale. The notification shall be made by telephone at the number furnished by the person, and also by telex if the person furnishes a telex number. Such notice may also include such other information as the Controller shall deem necessary and the attorneys employed by the District shall deem necessary or advisable.

Such notice shall also provide, among other things, that each bid shall be accompanied by a certified or cashier's check or a financial surety bond (the amount of such check or financial surety bond being referred to hereinafter as the "Deposit") in an amount equal to one percent (1%) of the principal amount of the Bonds to guarantee performance on the part of the bidder. If a check is submitted, it must be drawn on a bank or trust company which is insured by the Federal Deposit Insurance Corporation. If a financial surety bond is used, it must be from an insurance company. In either case, the Deposit shall be made payable to "City of Fort Wayne, Indiana, Stormwater Management District" to be held uncashed in the case of a check or not drawn upon in the case of a financial surety bond as a guarantee of the good faith of the bidder. The checks of unsuccessful bidders will be returned immediately following the award of the Bonds. No interest will be allowed on any checks. If the Bonds are awarded to a bidder who has submitted

a financial surety bond to the District, then such bidder must submit its Deposit to the District in the form of a certified or cashier's check (or a wire transfer consisting of immediately available funds to the District as instructed by the District) not later than 3:00 p.m. (local time) on the next business day following the award by the District. If such check or wire transfer is not received by that time, the financial surety bond may be drawn upon by the District to satisfy the Deposit requirements. In the event the bidder to whom the Bonds are awarded shall fail or refuse to comply with the provisions of the bid and this notice, such check and the proceeds thereof shall become the property of the District and shall be taken and considered as liquidated damages of the District on account of such failure or refusal.

All bids for Bonds shall be sealed and shall be presented to the Controller on behalf of the District at the Controller's office or at some other location determined by the Controller prior to the publication of said notice of intent, and the Controller shall continue to receive all bids offered until the hour fixed for the sale of the Bonds, at which time and place the Controller shall open and consider each bid. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, not exceeding eight percent (8.0%) per annum or such lesser rate as may be set forth in the Issuer's Certificate. Such interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). Bids specifying more than one interest rate shall also specify the amount and maturities of the Bonds bearing each rate, and all Bonds maturing on the same date shall bear the same rate of interest. The interest rate on Bonds of a given maturity must be at least as great as the interest rate on Bonds of any earlier maturity.

Subject to the provisions set forth below, the Controller shall award the Bonds to the bidder offering the lowest net interest cost to the District, to be determined by computing the total interest on all of the Bonds from the date thereof to their maturities and deducting therefrom

the premium bid, if any, or adding thereto the amount of any discount. No bid for less than ninety-nine percent (99.0%) of the par value of the Bonds (or such higher percentage of the par value of the Bonds as shall be set forth in the Issuer's Certificate), plus accrued interest at the rate or rates named to the date of delivery, will be considered. The Controller shall have full right to reject any and all bids for and on behalf of the District. In the event no acceptable bid is received at the time fixed for the sale of the Bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period not to exceed thirty (30) days, without readvertising, pursuant to Indiana law.

Each series of Bonds shall be offered and sold pursuant to an Official Statement with respect to the Bonds (the "Official Statement"), to be made available and distributed in such manner, at such times, for such periods and in such number of copies as may be required pursuant to Rule 15c2-12 promulgated by the United States Securities and Exchange Commission (the "Rule"). The Controller is hereby authorized to approve the form of the Preliminary Official Statement for and on behalf of the District upon the advice of counsel. The Controller is hereby further authorized for and on behalf of the District to deem "final" the Preliminary Official Statement, as of its date, in accordance with the provisions of the Rule, subject to completion as permitted by the Rule. The Controller is hereby authorized and directed for and on behalf of the District, upon the advice of the counsel, to place into final form and distribute and cause to be delivered the final Official Statement in accordance with the Rule, and the Controller is further authorized to execute the final Official Statement for and on behalf of the District. The District covenants and agrees that it will, and will cause the City to, comply with and carry out the continuing disclosure requirements of Section (b)(5) of the Rule. The Mayor and the Controller

are hereby authorized to approve a continuing disclosure agreement for the Bonds and to execute the same on the date the Bonds are issued if so requested by the purchaser of the Bonds.

Prior to the delivery of the Bonds, the Controller, for and on behalf of the District, shall (i) be authorized to investigate, negotiate and obtain bond insurance, other forms of credit enhancement and/or credit ratings on Bonds and (ii) obtain a legal opinion as to the validity of the Bonds from Baker & Daniels LLP, Fort Wayne, Indiana, bond counsel for the District, with such opinion to be furnished to the purchaser of the Bonds at the expense of the District. The costs of obtaining any such insurance, other credit enhancement and/or credit ratings, together with bond counsel's fee in preparing and delivering such opinion and in the performance of related services in connection with the issuance, sale and delivery of the Bonds, shall be considered as a part of the cost of the Project and shall be paid out of the proceeds of the Bonds.

Section 10. Disposition of Proceeds of the Bonds; Fort Wayne Stormwater District 2006 Construction Account. Any accrued interest and premium received at the time of the delivery of the Bonds shall be deposited in the Bond and Interest Redemption Account. The remaining proceeds from the sale of the Bonds shall be deposited in a bank or banks which are legally qualified depositories for the funds of the District, in the special account to be designated as "Fort Wayne Stormwater District 2006 Construction Account" (the "Construction Account"). Amounts in the Construction Account shall be expended only for the purpose of paying the costs of the Project, as described in this Resolution and in the Act, together with all authorized costs relating thereto, including the costs of issuance of the Bonds, and as otherwise permitted or required by the Act. Any balance or balances remaining unexpended in the Construction Account after completion of the Project, which are not required to meet unpaid obligations incurred in connection with the acquisition, construction or installation of the Project, shall be used solely for

one or more of the purposes permitted under the provisions of Indiana Code 5-1-13, as amended. The owners of the Bonds shall be entitled to a lien on the proceeds of the Bonds until such proceeds are applied as required by this Resolution and by Indiana law.

Each of the funds and accounts of the District shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including, particularly, applicable provisions of Indiana Code 5-13-9, as amended. Any interest or income derived from any such investments shall become a part of the moneys in the fund or account so invested.

Section 11. Collection of Revenues; Fund Operation, Repair and Maintenance . There shall be set apart and paid out of the gross revenues of the District into a cash operating fund established hereby to be designated as the Operation and Maintenance Account (the "Operation and Maintenance Account") an amount necessary and sufficient to pay the monthly costs of operation and maintenance of the Department. The moneys credited to the Operation and Maintenance Fund shall be used for the payment of the reasonable and proper operation, repair and maintenance expenses of the Department on a day-to-day basis, but none of the moneys in the Operation and Maintenance Account shall be used for extensions, improvements, or additions. Any balance in the Operation and Maintenance Account in excess of that needed for such purpose may be transferred to the Bond and Interest Redemption Account if necessary to prevent a default in payment on the then outstanding Bonds.

Section 12. Bond and Interest Redemption Account for Bonds. There is hereby established and created hereby the Bond and Interest Redemption Account (the "Bond and Interest Redemption Account") which account is hereby designated and constituted as the special fund for the payment of the interest on and principal of revenue bonds which by their terms are payable

from the net revenues of the District. The Bond and Interest Redemption Account shall be divided into two (2) subaccounts hereby designated as the Debt Service Subaccount (the "Debt Service Subaccount") and the Reserve Subaccount (the "Reserve Subaccount").

There shall be set aside from the gross revenues of the District, after first making the required payments into the Operation and Maintenance Account, and paid into the Debt Service Subaccount of the Bond and Interest Redemption Account monthly, as available, a sufficient amount of the net revenues of the District for the payment of (a) the interest on all bonds which by their terms are payable from the net revenues of said District, as such interest shall fall due, (b) the necessary fiscal agency charges for paying such bonds and interest, and (c) the principal of all bonds payable from the net revenues of the District, as such principal shall fall due. The monthly payments into said Debt Service Subaccount shall be in an amount equal to at least one-sixth (1/6th) of the amount required for interest during the next succeeding six (6) calendar months and an amount equal to one-twelfth (1/12th) of the amount required for payments during the next succeeding twelve (12) calendar months for the hereinabove described purposes other than interest payments.

There shall be held in said Reserve Subaccount an amount which equals the following with respect to the Bonds and any additional bonds subsequently issued on a parity with the Bonds (the "Reserve Requirement"): the lesser of (i) 10% of the proceeds thereof, (ii) the maximum annual principal and interest requirements thereon, or (iii) 125% of the average annual principal and interest requirements thereon. The Reserve Requirement is hereby determined to be reasonable. All money in the Reserve Subaccount shall be used and withdrawn by the District solely for the purpose of making payment on the Bonds and any additional bonds subsequently issued on a parity with the Prior Bonds and the Bonds to the extent that available moneys in the

Debt Service Subaccount are insufficient for such purpose, or to make the final payments on such bonds when money in the Reserve Subaccount, together with other money held in the Bond and Interest Redemption Account, is sufficient to make all remaining payments to final maturity, provided, notwithstanding the foregoing, amounts in the Reserve Subaccount in excess of the Reserve Requirement shall be transferred from time to time to the Debt Service Subaccount and thereupon applied to the required payments into the Debt Service Subaccount as provided in the preceding paragraph. In the event moneys held in the Reserve Subaccount are used to pay principal of and interest on the Bonds or any additional bonds subsequently issued on a parity with the Bonds, then such depletion of said Reserve Subaccount to an amount less than the Reserve Requirement shall be made up from available net revenues within twelve (12) months from substantially equal monthly deposits, after required deposits to the Debt Service Subaccount, to restore the balance of the Reserve Subaccount to an amount equal to the Reserve Requirement.

The Reserve Requirement, with respect to the Bonds, shall be deemed to be satisfied if there is on deposit in the Reserve Subaccount, any surety bond, insurance policy, guaranty, letter of credit or other credit facility in any amount equal to the Reserve Requirement, the issuer of which credit facility is rated at least "AAA" by Standard & Poor's Ratings Group or "Aaa" by Moody's Investor Service.

Any excess revenues of the District available after making the deposits required by Sections 11 and 12 above may be used to provide or restore any debt service Reserve Subaccount established to secure junior bonds issued as contemplated by Section 19(f).

In no event shall any part of the Bond and Interest Redemption Account be used in calling bonds for redemption prior to maturity except to the extent that the amount then in the Debt Service Subaccount exceeds the amount required to pay the bonds which will mature within a

period of twelve (12) calendar months next following the date of such redemption, together with all interest on the bonds payable in said period. Any such excess of funds above said required level may also be used in purchasing outstanding bonds at a price less than the then applicable redemption price, if first approved by the Board. Moneys in the Bond and Interest Redemption Account shall not be used for any purpose whatsoever except as stated in this section.

Section 13. Funding Improvements. Any excess revenues of the District available after making the deposits required by Sections 11 and 12 may be set aside and paid into the special account which is hereby created and designated as the Depreciation Account (the "Depreciation Account"), and be used to pay the cost of additions, improvements and extensions to the property of the Department. No revenues of the District shall be deposited in or credited to the Depreciation Account which will interfere with the requirements of the Bond and Interest Redemption Account.

In the event of any deficiency at any time in the Operation and Maintenance Account or the Bond and Interest Redemption Account, funds may be withdrawn from the Depreciation Account for deposit into said Operation and Maintenance Account or Bond and Interest Redemption Account in the amount of such deficiency.

Section 14. Separation of Funds; Investment of Moneys Therein. The Bond and Interest Redemption Account shall be deposited in and maintained as a separate bank account or accounts from all other bank accounts of the District. The Operation and Maintenance Account and the Depreciation Account may be maintained in a single bank account, or accounts, but such bank account, or accounts, shall likewise be maintained separate and apart from all other bank accounts of the District and apart from the Bond and Interest Redemption Account bank account or accounts. Each of the funds and accounts of the District shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding,

securing or investing of public funds, including, particularly, applicable provisions of Indiana Code 5-13-9, as amended. Any interest or income derived from any such investments shall become a part of the moneys in the fund or account so invested, provided, however, that income derived from investment of moneys in the Reserve Subaccount of the Bond and Interest Redemption Account shall be deposited to the Depreciation Account.

Section 15. Books of Record and Accounts. The District shall keep proper books of record and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from its property and deposited in said accounts, and all disbursements made therefrom on account of the operation of the its property, and to meet the requirements of the Bond and Interest Redemption Account, and all other financial transactions relating to the property of the District. There shall be prepared and furnished, upon written request, to any owner of the Bonds at the time then outstanding, not more than ninety (90) days after the close of each fiscal year, complete financial statements of the District, covering the preceding fiscal year. Copies of all such statements and reports shall be kept on file in the District's offices. Any owner or owners of the Bonds then outstanding shall have the right at all reasonable times to inspect the works and all records, accounts and data of the District relating thereto. Such inspections may be made by representatives duly authorized by written instrument.

Section 16. Rates and Charges. The District covenants and agrees that it will establish and maintain just and equitable rates or charges for the use of and the services rendered by the District, to be paid by the owner of each and every lot or parcel of real estate located in the District, at a level adequate to produce and maintain sufficient revenue (including user and other charges, fees, income, or revenues available to the District) to provide for the proper operation and maintenance of the property of the District, to comply with and satisfy all covenants contained in

this Resolution, and for the payment of the sums required to be paid into the Bond and Interest Redemption Account by the Act and this Resolution.

Such rates or charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation and maintenance of the property of the District and the requirements of the Bond and Interest Redemption Account. The rates or charges so established shall apply to any and all service rendered to the City and all departments thereof by the Department and shall be paid by the City as the charges accrue. In no event shall the annual gross revenues of the District after payment of the expenses of operation, repair and maintenance (but not including depreciation and payments in lieu of taxes) be less than one hundred and twenty percent (120%) of the annual interest and principal requirements of the Bonds and any additional bonds issued pursuant to Section 18 hereof. For these purposes, the interest rate on variable rate debt shall be assumed to be the average interest rate thereon in the preceding calendar year.

Section 17. Defeasance. If, when the Bonds issued hereunder shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds then outstanding shall be paid; or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys, shall be held in trust for such purpose, and

provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder shall no longer be deemed outstanding or entitled to the pledge of the net revenues of the District.

Section 18. Additional Bonds. The District reserves the right to authorize and issue additional bonds, payable out of the net revenues of the District, ranking on a parity with the bonds authorized by this Resolution, for the purpose of financing the cost of future additions, extensions and improvements to the property of the District, subject to the following conditions:

(a) shall have been made in accordance with the provisions of this Ordinance, and the interest on and principal of all bonds payable from the net revenues of the District shall have been paid to date in accordance with the terms thereof.

(b) As of the time of issuance of the additional parity bonds, the balance in the Reserve Subaccount shall be at least equal to the Reserve Requirement for the Bonds and all then outstanding bonds ranking on a parity therewith, provided, this condition shall be deemed satisfied if any required amount is to be provided from the proceeds of the newly issued parity bonds or other funds of the District, and furthermore, the ordinance authorizing the proposed additional parity bonds must include a provision requiring the District to build the balance in the Reserve Subaccount to an amount equal to the Reserve Requirement for the proposed additional parity bonds, unless the Reserve Subaccount is fully funded as of the time of issuance of the additional parity bonds, from available net revenues within twelve (12) months from substantially equal monthly deposits after required deposits to the Debt Service Subaccount.

(c) The net revenues of the District in the fiscal year immediately preceding the issuance of any such bonds ranking on a parity with the bonds authorized by

this Ordinance shall be not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or, prior to the issuance of said parity bonds, the rates and charges shall be increased or the area of the District shall be expanded sufficiently so that said increased rates and charges applied to the previous fiscal year's operations would have produced net revenues for said year equal to not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued. For purposes of this subsection, the records of the District shall be analyzed and all showings shall be prepared by a certified public accountant or independent financial advisor employed by the District for that purpose.

(d) The principal of said additional parity bonds shall be payable annually on August 1 and the interest on said additional parity bonds shall be payable semiannually on February 1 and August 1 in the years in which such principal and interest are payable, and, if the additional parity bonds are issued as capital appreciation bonds, the amount payable at maturity thereof shall be payable on February 1 and/or August 1 during the periods in which such maturity amounts are payable.

(e) Additional parity bonds issued as variable rate debt must be assumed to bear the maximum interest rate thereon for the purpose of certifying satisfaction of the 125% condition set forth above, and a maximum rate must be set for any such variable rate additional parity bonds. Furthermore, any put feature associated with such variable rate debt must be covered by remarketing proceeds or a liquidity facility issued by a provider which is either (i) rated in one of the two highest short-term rating

categories of Moody's Investors Service or Standard & Poor's Rating Services, or (ii) for as long as any Bonds are insured by the a bond insurer, acceptable to such bond insurer.

Section 19. Additional Covenants of the District. For the purpose of further safeguarding the interests of the owners of the Bonds herein authorized, it is specifically provided as follows:

(a) All contracts let by the District in connection with the construction of said additions and improvements to the property of the District shall be let after due advertisement as required by the laws of the State, and all contractors shall be required to furnish surety bonds in an amount equal to one hundred percent (100%) of the amount of such contracts, to insure the completion of said contracts in accordance with their terms, and such contractors shall also be required to carry such employers liability and public liability insurance as are required under the laws of the State in the case of public contracts, and shall be governed in all respects by the laws of the State relating to public contracts.

(b) Said additions and improvements shall be constructed under the supervision and subject to the approval of a competent engineer as shall be designated by the Board.

(c) The District shall at all times maintain its property in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the Bonds herein authorized are outstanding, the District shall maintain insurance coverage, including fidelity bonds, to protect the its property and its operations on the insurable parts of said property of a kind and in an amount such as would normally be carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified

to do business under the laws of the State. Insurance proceeds and condemnation awards shall be used to replace or repair the property, or, if not used for that purpose, shall be treated and applied as net revenues of the works.

(e) So long as any of the Bonds are outstanding, the District shall not mortgage, pledge or otherwise encumber such works, or any part thereof, nor shall it sell, lease or otherwise dispose of any portion thereof except replace equipment which may become worn out or obsolete.

(f) Except as hereinbefore provided in Section 18 hereof, so long as any of the Bonds herein authorized are outstanding, no additional bonds or other obligations pledging any portion of the revenues of the District shall be authorized, executed or issued by the District except such as shall be made subordinate and junior in all respects to the Bonds herein authorized, unless all of the Bonds herein authorized are redeemed, retired or defeased pursuant to Section 17 hereof coincidentally with the delivery of such additional bonds or other obligations.

(g) The provisions of this Resolution shall constitute a contract by and between the District and the owners of the Bonds herein authorized, and after the issuance of said Bonds, this Resolution shall not be repealed or amended in any respect which will adversely affect the rights of the owners of said Bonds, nor shall the Board adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of said Bonds or the interest thereon remains unpaid.

(h) The provisions of this Resolution shall be construed to create a trust in the proceeds of the sale of the Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Bonds shall retain a lien on such respective proceeds until

the same are applied in accordance with the provisions of this Resolution and of the Act. The provisions of this Resolution shall also be construed to create a trust in the portion of the net revenues herein directed to be set apart and paid into the Bond and Interest Redemption Account for the uses and purposes of said fund as in this Resolution set forth. The owner of said Bonds shall have all of the rights, remedies and privileges set forth in the provisions of the Act in the event of default in the payment or the principal of or interest on any of the Bonds herein authorized or in the event of default in respect to any of the provisions of this Resolution or the Act. The District reserves the right, however, to amend this Resolution from time to time to preserve the Tax Exemption described in Section 22 hereof without the approval of any owner of the bonds so long as the Board certifies that such amendment does not violate this subsection (h) of Section 19.

Section 20. Permitted Actions Relating to Preservation of Exclusion of Interest from Federal Gross Income.

(a) The Board is hereby authorized to invest moneys pursuant to the provisions of this Resolution at a restricted yield (subject to applicable requirements of federal law to insure that any such investment is acquired for fair market value) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the Bonds, or the tax exempt status of interest on the Bonds, under federal law.

(b) The Board shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts created or referenced herein. In order to comply with the provisions of this Resolution, the Board is hereby authorized and directed to employ consultants or attorneys from time to time to advise the Board as to requirements of federal law to preserve the tax exclusion or exemption.

Section 21. Tax Covenants. In order to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes and as an inducement to purchasers of the Bonds, the District represents, covenants and agrees that:

(a) No person or entity, other than the District or another state or local governmental unit, will use proceeds of the Bonds or property financed by the Bond proceeds other than as a member of the general public. No person or entity other than the District or another state or local governmental unit will own property financed by the Bond proceeds or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as take-or-pay or output contract or any other type of arrangement that differentiates that person's or entity's use of such property from the use by the public at large, other than as may be permitted by Revenue Procedure 97-13.

(b) No Bond proceeds will be loaned to any entity or person. No Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(c) The District will not take, or cause or permit to be taken by it or by any party under its control, or fail to take or cause or permit to fail to be taken by it or by any party under its control, any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Bonds pursuant to Section 103 of the Code, nor will the District act in any other manner which would adversely affect such exclusion. The District further covenants that it will not make any investment or do any other act or thing during the period that any Bond is

outstanding hereunder which would cause any Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Bonds.

(d) The District will, to the extent necessary to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes, rebate all required arbitrage profits on Bond proceeds or other moneys treated as Bond proceeds to the federal government and will set aside such moneys in a Rebate Account to be held by the Board in trust for such purpose.

Section 22. Compliance with Tax Sections. Notwithstanding any other provisions of this Resolution, the covenants and authorizations contained in this Resolution ("Tax Sections") which are designed to preserve the tax exempt status of interest on the Bonds or the exclusion of interest on the Bonds from gross income under federal law ("Tax Exemption") need not be complied with if the District receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Section 23. Supplemental Resolutions. Subject to the terms and provisions contained in this Section, and not otherwise, the owners of not less than seventy-five percent (75%) in aggregate principal amount of the bonds issued pursuant to this Resolution and then outstanding shall have the right, from time to time, anything contained in this Resolution to the contrary notwithstanding, to consent to and approve the adoption by the District of such resolution or resolutions supplemental hereto as shall be deemed necessary or desirable by the District for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Resolution, or in any supplemental resolution; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any bond issued pursuant to this Resolution; or

(b) A reduction in the principal amount of any bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the net revenues of the District ranking prior to the pledge thereof created by this Resolution; or

(d) A preference or priority of any bond or bonds issued pursuant to this Resolution over any other bond or bonds issued pursuant to the provisions of this Resolution; or

(e) A reduction in the aggregate principal amount of the bonds required for consent to such supplemental resolution.

The owners of not less than seventy-five percent (75%) in aggregate principal amount of the bonds outstanding at the time of adoption of such supplemental resolution shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Secretary of the Board. No owner of any bond issued pursuant to this Resolution shall have any right to object to the adoption of such supplemental resolution or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Board or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental resolution pursuant to the provisions of this Section, this Resolution shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Resolution of the District and all owners of bonds issued pursuant to the provisions of this Resolution then outstanding, shall thereafter be determined, exercised and

enforced in accordance with this Resolution, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Resolution, the rights and obligations of the District and of the owners of the bonds authorized by this Resolution, and the terms and provisions of the bonds and this Resolution, or any supplemental resolution, may be modified or altered in any respect with the consent of the Board and the consent of the owners of all the bonds issued pursuant to this Resolution then outstanding.

Section 24. Repeal of Conflicting Resolutions. All resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution, are, to the extent of such conflict, hereby repealed; provided, however, that this Resolution shall not be construed as repealing or modifying in any respect any of the provisions of the Prior Resolution nor be construed as adversely affecting the rights of any of the holders of the Prior Bonds.

Section 25. Rates and Charges. The estimate of rates and charges which will be needed and charged to the general classes of users of property to be served by the District in order to provide moneys to make payments of principal of and interest on the Bonds, along with the other payments identified in this Resolution, is set forth in Ordinance No. G-20-05 of the Common Council of the City, adopted on November 22, 2005, approving the rates adopted by the Board.

Section 26. Payments on Holidays. If the date of making any payment or the last date for performance of any act or the exercising of any right, as provided in this Resolution, shall be a legal holiday or a day on which banking institutions in the City or the city in which the Registrar and Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Resolution, and no interest shall accrue for the period after such nominal date.

Section 27. Captions. The captions in this Resolution are inserted only as a matter of convenience and reference, and such captions are not intended and shall not be construed to define, limit, establish, interpret or describe the scope, intent or effect of any provision of this Resolution.

Section 28. Effectiveness. This Resolution shall be in full force and effect from and after its passage.

ADOPTED AND APPROVED this 4th day of January, 2006.

BOARD OF DIRECTORS OF THE STORMWATER MANAGEMENT DISTRICT OF THE CITY OF FORT WAYNE, INDIANA

Greg Meszaros, Chairman

Regina A. Kostoff, Member

John Suarez, Member

ATTEST:

Marilyn Huth, Clerk

GENERAL CIPP 2006 PACKAGE #1
RESOLUTION NO. 1815-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Approximately 38,500 feet of small diameter (8-inch to 15-inch) combination and sanitary sewers shall be rehabilitated by means of the cured-in-place pipe lining process.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **GENERAL CIPP 2006 PACKAGE #1**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $1,960,000.00

APPROVED THIS 4th DAY OF January, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez

John Suarez, Member

Ryan P. Chasey

Ryan Chasey, Member

ATTEST:

Marilyn Huth

Marilyn Huth, Clerk

09

IMPROVEMENT RESOLUTION NO. 7074-06

LAHMEYER ROAD & ST. JOSEPH CENTER ROAD INTERSECTION IMPROVEMENTS
WORK ORDER NO. 11770

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

LAHMEYER ROAD & ST. JOSEPH CENTER ROAD INTERSECTION BY INSTALLING NEW TRAFFIC CONTROL SIGNAL SYSTEM; WIDENING PAVEMENT TO PROVIDE TURN LANES; SHOULDER AND SIDE DRAINAGE DITCH GRADING; DRIVEWAY APPROACH RECONSTRUCTION; PAVEMENT MARKINGS; SEEDING RESTORATION AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 4th day of January, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

MAUMEE RIVER DAM TAINTER GATE IMPROVEMENTS
RESOLUTION NO. 1676-2004

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The existing original 9'x25' tainter gate and hoisting system shall be removed and disposed of and a new tainter gate and hoisting mechanism shall be installed.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **MAUMEE RIVER DAM TAINTER GATE IMPROVEMENTS**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $302,625.00

APPROVED THIS 4th DAY OF January, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 28, 2005

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $35,082.92 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Bound Tree	PR #23	148.91
Grainger	PR #23	75.38
Indiana Stamp	PR #23	105.80
CDW Government Inc.	PR #23	5,130.00
Robert E. Crosby	PR #23	15,948.00
Fetters Construction	PR #23	12,307.35
Bank One	PR #23	1,367.48
	Total for Payment Request #22	**$ 35,082.92**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

January 4th, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 29, 2005

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $2,618.14 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Schenkel Shultz	PR #24	69.79
Emergency Books & Training	PR #24	2,548.35
Total for Payment Request #22		**$ 2,618.14**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

January 4th, 2006
Date

RESOLUTION NO. #93-1-4-06-2

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE STORMWATER MANAGEMENT DISTRICT OF THE CITY OF FORT WAYNE, INDIANA, CONFIRMING RESOLUTION NO. 92-12-21-05-1 REGARDING THE PROPOSED ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS AND RELATED MATTERS

WHEREAS, the Board of Directors (the "Board") of the Stormwater Management District of the City of Fort Wayne, Indiana (the "District"), on December 21, 2005, adopted Resolution No. 92-12-21-05-1 entitled "A Resolution of the Board of Directors of the Stormwater Management District of the City of Fort Wayne, Indiana, Regarding the Proposed Acquisition and Construction of Improvements and Related Matters" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution set forth the Board's proposal, pursuant to Indiana Code 8-1.5-5, as amended, to issue revenue bonds of the District payable solely from the net revenues (herein defined as gross revenues after deduction only for the payment of expenses for operation and maintenance of the property of the District) of the District, in one or more series, in an aggregate principal amount not to exceed Seventeen Million Dollars ($17,000,000) to procure funds to be applied to the costs of engineering, construction and acquisition of solutions for ten (10) or more large-scale drainage problems located throughout the City and also to address flooding along Spy Run Creek, Saint Mary's River and Fairfield Ditch (collectively, the "Project"), together with all expenses necessarily incurred in connection with the proceedings relating thereto, including all expenses incurred in connection with the issuance of said bonds thereof, all as permitted by Indiana Code 8-1.5-5-15(a) ; and

WHEREAS, pursuant to Indiana Code 8-1.5-5-17, the Declaratory Resolution (including the general plans and estimates referred to therein) has been made available for inspection during normal business hours by all persons interested in or affected by the Project at

the offices of the Board in Room 420, City-County Building, 1 East Main Street, Fort Wayne, Indiana; and

WHEREAS, pursuant to Indiana Code 8-1.5-5-17(c), the Board caused to be published on the 23rd day of December, 2005, a notice of a public hearing concerning the Project in the Fort Wayne Journal Gazette and the Fort Wayne News-Sentinel; and

WHEREAS, at the hearing held by the Board on the 4th day of January, 2006, at 10:00 a.m., at the Omni Room (Room 250), 2nd floor in the City-County Building, 1 East Main Street, Fort Wayne, Indiana, the Board heard all persons interested in the proceedings and received no written remonstrances and considered such other evidence presented; and

WHEREAS, the Board now desires to take final action determining the public utility and benefit of the proposed Project by confirming the Declaratory Resolution, in accordance with Indiana Code 8-1.5-5-18;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Stormwater Management District of the City of Fort Wayne, Indiana, as follows:

Section 1. After considering the evidence presented at the hearing on the 4th day of January, 2006, the Board hereby confirms the decision to proceed with the Project and all other findings and determinations, designations and approving and adopting actions contained in the Declaratory Resolution.

Section 2. The Board hereby finds and determines that it will be of public utility and benefit to proceed with the Project as described in the Declaratory Resolution.

Section 3. The Declaratory Resolution shall be, and the same is hereby, confirmed.

Section 4. This Resolution constitutes final action, pursuant to Indiana Code 8-1.5-5-18(b), by the Board determining the public utility and benefit of the Project and confirming the Declaratory Resolution pertaining to the Project.

Section 5. The Secretary is directed to file the final action taken by the Board with the permanent records of the District.

ADOPTED AND APPROVED THIS 4th day of January, 2006.

BOARD OF DIRECTORS OF THE STORMWATER MANAGEMENT DISTRICT OF THE CITY OF FORT WAYNE, INDIANA

Greg Meszaros, Chairman

Regina A. Kostoff, Member

John Suarez, Member

ATTEST:

Marilyn Huth, Clerk

EAST PUMP ROOM & FILTER GALLERY LIGHTING IMPROVEMENT PROJECT
RESOLUTION NO. 1827-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Upgrade and improve the lighting for the East Pump Room and Filter Gallery at the Fort Wayne Filtration Plant. Install and retrofit the existing fluorescent lighting fixtures with High Intensity Discharge – Metal Halide fixtures, per specifications.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, East Pump Room & Filter Gallery Lighting Improvement Project

Declares the cost of the said improvements shall be paid by the funds from the property owners (Barrett Law) and the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $95,000.00.

APPROVED THIS 17th DAY OF January, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

CEDARVILLE DAM IMPROVEMENTS
RESOLUTION NO. 1658-2004

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This resolution is for installation of a temporary access road, bank stabilization, concrete repair, and steel stripping and painting.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **CEDARVILLE DAM IMPROVEMENTS**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $515,000.00

APPROVED THIS 11th DAY OF January, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF
FORT WAYNE, INDIANA

RESOLUTION NO. 93-1-11-06-1

WHEREAS, the City of Fort Wayne needs to lease various computer and office equipment for use by several departments of the City of Fort Wayne for continued effeetive operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated such leasing and has let bids therefore; and

WHEREAS, numerous bids have been let for the acquisition of various computer and office equipment and the Common Counеil is expected to approve the aequisition of said various computer and office equipment; and

WHEREAS, suffieient revenues are available from the City's General Fund to make lease rental payments on a timely basis as required for the leasing of said various computer and office equipment; and

WHEREAS, notices will be published requesting proposals from lessors to acquire the various computer and offiee equipment and to lease the same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the exeeution of said lease will permit the use and acquisition of said various computer and office equipment within the present financial eapabilities of the City and therefore same is in the public interest; and

WHEREAS, the Common Counеil designates the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana, for the transactions herein contemplated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works will receive bids from potential lessors for the lease of certain various computer and office equipment on **FEBRUARY 1, 2006.**

SECTION 2. The Board of Public Works, after reviewing all of the bids submitted to it pursuant to the Notice to Bidders and the Request for Proposal, will designate the lessor of those various computer and office equipment listed on the bids received from potential lessors for the lease of certain various computer and office equipment listed on the attached Exhibit "A" on **FEBRUARY 8, 2006**. The exact lessor purchase cost for the various computers and office equipment contained on the attached Exhibit "A" shall be determined in accordance with bidding procedures of the City of Fort Wayne, if not so previously determined.

DATED: January 11, 2006

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Exhibit A

NOTICE TO BID
COMPUTER AND OFFICE EQUIPMENT LEASE FINANCING
01/06/06

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids **and proposals** (as described below) will be received by the **Board of Public Works at its office in Room 420, City-County Building until 8:30 a.m. on WEDNESDAY 2/1/06** and in the Omni Room, Room 250, City-County Building until **9:00 a.m.** Eastern Standard Time, on **WEDNESDAY 2/1/06** for the following:

Computer and Office Equipment Lease Financing
3-year Lease
with option to purchase
for computer and office equipment
for use by the City of Fort Wayne

The bid should be prepared for a "Non-qualified" entity under the Small Issuer Exemption tax code provisions. No bid may be withdrawn without the written consent of the Board of Public Works for a period of five (5) days after the bid opening, within which time the Board will act to choose the successful bidder. All bids shall be accompanied by a bid bond or certified check (out of state bidders must use a certified check or an Indiana surety), in the amount of FIVE percent (5%) of the bid, which check or bid shall be made payable to the City of Fort Wayne, Indiana. Should a successful bidder withdraw his or her bid, the Board may declare the bid deposit as having been forfeited and collect said amount as liquidated damages.

Each bidder must include, in a clear and concise format, the following items in their bid:

1) The cash purchase price without regard to the lease agreement for the various computer and office equipment.
2) The total lease rental price based on a 3-year lease period with funds to be available on or before February 10, 2006 and lease payments commencing no sooner than July 15, 2006. Bids should be submitted with semi-annual payment schedules assuming payments made in advance.
3) The total amount of interest and the lease-financing factor ("interest rate") used to determine the amount of the payments must be clearly indicated.
4) Payment amortization schedules based on the above information must be submitted with the bids. The amount of interest charges, if any, accruing for the period from February 10, 2006 through July 15, 2006 must also be included and clearly segregated from the payment amortization schedule.
5) A provision in the lease providing for an option to purchase the computers and office equipment.
6) A schedule of the option purchase price and at each time when an option may be executed.
7) A schedule of the amount of the lease rental payment which shall be credited to the lease purchase option.
8) A provision in the lease stating that it is subject to annual appropriation.

The computers and office equipment with their estimated unit costs are detailed below.

ITEM	APPROX QUANTITY	NOT TO EXCEED TOTAL COST
Personal Computers	131	$ 145,500
Laptop	1	2,000
IPAQ	1	2,500
Server	2	25,000
Printers	35	30,000
Software		590,000
Other Equipment		425,000
TOTAL		**$ 1,220,000**

Exhibit A

All necessary approvals of the City's Common Council for the acquisition of the above-listed items are forthcoming.

The date for the anticipated cash requirements for this leasing arrangement is on or before **February 10, 2006.**

The Board of Public Works reserves the right to reject any and all bids for failure to comply with applicable laws and or with the instructions to Bidders. The Board of Public Works also reserves the right to waive any defect in any bid.

Board of Public Works

Regina A. Kostoff, Chair
John Suarez, Member
Ryan P. Chasey, Member

ATTEST: Marilyn Huth, Clerk

Publish 1/13 & 1/20/06 in both Fort Wayne Newspapers and 1/16/06 in Frost Illustrated

RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF
FORT WAYNE, INDIANA

RESOLUTION NO. 93-1-11-06-1

WHEREAS, the City of Fort Wayne needs to lease various computer and office equipment for use by several departments of the City of Fort Wayne for continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated such leasing and has let bids therefore; and

WHEREAS, numerous bids have been let for the acquisition of various computer and office equipment and the Common Council is expected to approve the acquisition of said various computer and office equipment; and

WHEREAS, sufficient revenues are available from the City's General Fund to make lease rental payments on a timely basis as required for the leasing of said various computer and office equipment; and

WHEREAS, notices will be published requesting proposals from lessors to acquire the various computer and office equipment and to lease the same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the execution of said lease will permit the use and acquisition of said various computer and office equipment within the present financial capabilities of the City and therefore same is in the public interest; and

WHEREAS, the Common Council designates the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana, for the transactions herein contemplated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works will receive bids from potential lessors for the lease of certain various computer and office equipment on **FEBRUARY 1, 2006.**

SECTION 2. The Board of Public Works, after reviewing all of the bids submitted to it pursuant to the Notice to Bidders and the Request for Proposal, will designate the lessor of those various computer and office equipment listed on the bids received from potential lessors for the lease of certain various computer and office equipment listed on the attached Exhibit "A" on **FEBRUARY 8, 2006**. The exact lessor purchase cost for the various computers and office equipment contained on the attached Exhibit "A" shall be determined in accordance with bidding procedures of the City of Fort Wayne, if not so previously determined.

DATED: January 11, 2006

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Exhibit A

NOTICE TO BID
COMPUTER AND OFFICE EQUIPMENT LEASE FINANCING
01/06/06

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids **and proposals** (as described below) will be received by the **Board of Public Works at its office in Room 420, City-County Building until 8:30 a.m. on WEDNESDAY 2/1/06** and in the Omni Room, Room 250, City-County Building until **9:00 a.m.** Eastern Standard Time, on **WEDNESDAY 2/1/06** for the following:

Computer and Office Equipment Lease Financing
3-year Lease
with option to purchase
for computer and office equipment
for use by the City of Fort Wayne

The bid should be prepared for a "Non-qualified" entity under the Small Issuer Exemption tax code provisions. No bid may be withdrawn without the written consent of the Board of Public Works for a period of five (5) days after the bid opening, within which time the Board will act to choose the successful bidder. All bids shall be accompanied by a bid bond or certified check (out of state bidders must use a certified check or an Indiana surety), in the amount of FIVE percent (5%) of the bid, which check or bid shall be made payable to the City of Fort Wayne, Indiana. Should a successful bidder withdraw his or her bid, the Board may declare the bid deposit as having been forfeited and collect said amount as liquidated damages.

Each bidder must include, in a clear and concise format, the following items in their bid:

1) The cash purchase price without regard to the lease agreement for the various computer and office equipment.
2) The total lease rental price based on a 3-year lease period with funds to be available on or before February 10, 2006 and lease payments commencing no sooner than July 15, 2006. Bids should be submitted with semi-annual payment schedules assuming payments made in advance.
3) The total amount of interest and the lease-financing factor ("interest rate") used to determine the amount of the payments must be clearly indicated.
4) Payment amortization schedules based on the above information must be submitted with the bids. The amount of interest charges, if any, accruing for the period from February 10, 2006 through July 15, 2006 must also be included and clearly segregated from the payment amortization schedule.
5) A provision in the lease providing for an option to purchase the computers and office equipment.
6) A schedule of the option purchase price and at each time when an option may be executed.
7) A schedule of the amount of the lease rental payment which shall be credited to the lease purchase option.
8) A provision in the lease stating that it is subject to annual appropriation.

The computers and office equipment with their estimated unit costs are detailed below.

ITEM	APPROX QUANTITY	NOT TO EXCEED TOTAL COST
Personal Computers	131	$ 145,500
Laptop	1	2,000
IPAQ	1	2,500
Server	2	25,000
Printers	35	30,000
Software		590,000
Other Equipment		425,000
TOTAL		**$ 1,220,000**

Exhibit A

All necessary approvals of the City's Common Council for the acquisition of the above-listed items are forthcoming.

The date for the anticipated cash requirements for this leasing arrangement is on or before **February 10, 2006**.

The Board of Public Works reserves the right to reject any and all bids for failure to comply with applicable laws and or with the instructions to Bidders. The Board of Public Works also reserves the right to waive any defect in any bid.

Board of Public Works

Regina A. Kostoff, Chair
John Suarez, Member
Ryan P. Chasey, Member

ATTEST: Marilyn Huth, Clerk

Publish 1/13 & 1/20/06 in both Fort Wayne Newspapers and 1/16/06 in Frost Illustrated

BOARD OF STORMWATER MANAGEMENT
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 93-1-11-06-2

WHEREAS, the Board of Stormwater Management of the City of Fort Wayne, Indiana, (the "Board") is involved in the City of Fort Wayne Flood Buyout Program to purchase properties that are located in the flood plain and that have been consistently damaged by floods;

WHEREAS, the Board acknowledges that the purpose of the Flood Buyout Program is to remove the threat of further flooding and damage of dwellings and outbuildings on the properties by tearing down all dwellings and outbuildings on said properties and to ensure that no homes or outbuildings shall be built upon the properties;

WHEREAS, in keeping with the purpose of the Flood Buyout Program, upon purchase of the properties by the Board, the Board acknowledges that the dwellings and all outbuildings located on the properties shall be torn down;

WHEREAS, in keeping with the purpose of the Flood Buyout Program, the properties shall be utilized for the best public use without the addition of dwellings and/or outbuildings;

NOW, THEREFORE, BE IT RESOLVED by the Board of Stormwater Management that:

1. The Board pledges to tear down all dwellings and outbuildings on the properties purchased in the Flood Buyout Program; and

2. The Board pledges not to redevelop the properties purchased in the Flood Buyout Program; and

3. The Board pledges that it will utilize the properties purchased in the Flood Buyout Program for the best public use, including but not limited to:

    a. Mounding and/or flood control structures may be built on the properties; and

    b. Rivergreenway trails may also be built on the properties to incorporate with existing trails.

Adopted and approved this 14th **day of** January, **2006.**

City of Fort Wayne, Indiana
Board of Stormwater Management

By: _____
Greg Meszaros, Chairman

_____
Regina A. Kostoff, Member

_____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

BOARD OF STORMWATER MANAGEMENT
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 93-1-11-06-2

WHEREAS, the Board of Stormwater Management of the City of Fort Wayne, Indiana, (the "Board") is involved in the City of Fort Wayne Flood Buyout Program to purchase properties that are located in the flood plain and that have been consistently damaged by floods;

WHEREAS, the Board acknowledges that the purpose of the Flood Buyout Program is to remove the threat of further flooding and damage of dwellings and outbuildings on the properties by tearing down all dwellings and outbuildings on said properties and to ensure that no homes or outbuildings shall be built upon the properties;

WHEREAS, in keeping with the purpose of the Flood Buyout Program, upon purchase of the properties by the Board, the Board acknowledges that the dwellings and all outbuildings located on the properties shall be torn down;

WHEREAS, in keeping with the purpose of the Flood Buyout Program, the properties shall be utilized for the best public use without the addition of dwellings and/or outbuildings;

NOW, THEREFORE, BE IT RESOLVED by the Board of Stormwater Management that:

1. The Board pledges to tear down all dwellings and outbuildings on the properties purchased in the Flood Buyout Program; and

2. The Board pledges not to redevelop the properties purchased in the Flood Buyout Program; and

3. The Board pledges that it will utilize the properties purchased in the Flood Buyout Program for the best public use, including but not limited to:

    a. Mounding and/or flood control structures may be built on the properties; and

    b. Rivergreenway trails may also be built on the properties to incorporate with existing trails.

Adopted and approved this 11th **day of** January, **2006.**

City of Fort Wayne, Indiana
Board of Stormwater Management

By: _____
Greg Meszaros, Chairman

_____
Regina A. Kostoff, Member

_____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

UNION CHAPEL ROAD – DIEBOLD TO I-69
WATER MAIN EXTENSION
RESOLUTION NO. 1743-2005

AMENDMENT #1

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,165 LF of 16-inch water main, 5 fire hydrants, 3 valves, and all other appurtenances and work as necessary for the water main replacement project.

Said improvements shall be constructed under two (2) construction contracts.

> *One portion of the work shall be constructed under the Allen County Highway contract with API Construction Corporation as per the Interlocal Cooperation Agreement for Union Chapel Road, Amendment #1, signed December 7, 2005.*
>
> *The additional work shall be constructed under a sole source contract (Attached) with API Construction Corporation. API has past experience installing water mains for the City of Fort Wayne and their proposal for the additional work was both cost effective and advantageous to the City of Fort Wayne. Allen County Highway requested that this additional work be paid to the Contractor directly, as it was not part of their original project as bid.*

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "UNION CHAPEL PHASE III – DIEBOLD TO I-69 -WATER MAIN EXTENSION"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $180,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 18th DAY OF January, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: January 18, 2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $17,593.30 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Schenkel Shultz	PR #25	43.70
Janitors Supply	PR #25	1,206.47
Baker & Daniels	PR #25	168.16
Verizon	PR #25	7,463.80
Grainger	PR #25	6,679.17
GE Appliance	PR #25	2,032.00
	PR #25	

Total for Payment Request #25 $ 17,593.30

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

January 18, 2006
Date

RESOLUTION OF THE BOARD OF PUBLIC WORKS
To Adjust the
Reimbursement Fees due to the City of Fort Wayne for
The Emerald Pointe – Cook Road Sanitary Sewer Project Contract 2003-S-2
Recorded as Document No. 203037146
Resolution No. 93-1-25-06-1

WHEREAS, on the 9th day of April, 2003, the Board of Public Works (Board) approved Sanitary Sewer Contract 2003-S-02 which authorizes the reimbursement of fees collected for the purpose of reimbursing the City of Fort Wayne for costs for inspection, testing, engineering and construction for installing a portion of a sanitary sewer main to serve offsite properties; and

WHEREAS, the total cost of the sanitary sewer was $14,260.92;

WHEREAS, the reimbursement fees were calculated and distributed based on a total of 3 benefited properties located at 1601 East Cook Road, Parcels A, B & C; and

WHEREAS, the existing septic system at 7433 Auburn Road has failed and is creating a negative environmental condition; and

WHEREAS, the property owner at 7433 Auburn Road is requesting a sanitary sewer connection to said sanitary sewer; and

WHEREAS, City Utilities will approve said sanitary sewer connection; and

WHEREAS, City Utilities recognizes that further property owners may wish to connect to said sanitary sewer in the future.

NOW THEREFORE BE IT RESOLVED, that the Board approves the redistribution and reimbursement fee equally between the 4 benefited properties as described in the attached Exhibit A. Said fees will be recalculated as follows:

Total offsite properties to be served by said sanitary sewer main is 4. Cost per property is: $14,260.92 / 4 properties = $3,565.23.

1601 East Cook Road – Parcel A = $3,565.23	($796.59 decrease)
1601 East Cook Road – Parcel B = $3,565.23	($1,592.43 decrease)
1601 East Cook Road – Parcel C = $3,565.23	($1,177.88 decrease)
7433 Auburn Road = $3,565.23	($0.00 decrease)

In the event parcels of real estate other than those identified herein connect by direct tap to that portion of the sewer main that is subject to reimbursement within 15 years of the date of this Resolution, the City shall collect a pro rata share from those properties based on the total cost of the sewer ($14,260.92) divided by the number of taps. Said reimbursement fees shall be reimbursed proportionally to the property owners at 1601 East Cook Road and 7433 Auburn Road.

APPROVED THIS 25th **day of** January**, 2006.**

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

Attest: Marilyn Huth
Marilyn Huth, Clerk of the Board

This document prepared by:
Kristine M. Degabriele, Associate City Attorney

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared **Regina A. Kostoff, Chair, John Suarez and Ryan P. Chasey**, as Members of the Board of Public Works of the City of Fort Wayne, and **Marilyn Huth**, Clerk of the Board of Works and acknowledged the execution of the foregoing Contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 25th day of January 2006.

Michelle R. Hadley
Notary Public
Resident of Allen County

Michelle R. Hadley
Printed Name of Notary

My Commission Expires:

_____

MICHELLE [illegible] EY
Notary P[illegible]

My Comm[illegible] 11/26/2006

EXHIBIT "A"

Parcel (Tract) A: Document Number 200035018

Part of the West half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 12, Township 13 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a ½ inch rebar marking the Southeast corner of said Southeast Quarter; thence South 87 degrees 06 minutes 02 seconds West (state plane bearing and basis of bearings to follow), a distance of 330.00 feet along the South line of said Southeast Quarter to the East line of the West half of the Southeast Quarter of the Southeast Quarter of said Southeast Quarter; thence North 02 degrees 47 minutes 27 seconds West, a distance of 72.49 feet along said East line to a ½ inch rebar on the Northerly right-of-way line of Cook Road and the POINT OF BEGINNING of the herein described tract; thence South 72 degrees 58 minutes 29 seconds West, a distance of 111.21 feet along said Northerly right-of-way line to a 5/8 inch steel rebar set with Karst identification cap; thence 02 degrees 47 minutes 27 seconds West, a distance of 225.07 feet parallel with said East line to a 5/8 inch steel rebar set with Karst identification cap; thence South 87 degrees 06 minutes 02 seconds West, a distance of 120.00 feet parallel with the South line of said Southeast Quarter to a 5/8 inch steel rebar set with Karst identification cap; thence South 02 degrees 47 minutes 27 seconds East, a distance of 235.00 feet parallel with said East line to a 5/8 inch steel rebar with Karst identification cap set on said Northerly right-of-way line; thence South 85 degrees 14 minutes 10 seconds West, a distance of 102.27 feet along said Northerly right-of-way line of aforesaid West half, referenced by an INDOT concrete right-of-way monument 0.1' to the West line; thence North 02 degrees 47 minutes 27 seconds West, a distance of 627.91 feet to a point on the North line of Southeast Quarter of the Southeast Quarter of said Southeast Quarter, referenced by a 12 inch by 12 inch wood post 1.3 feet South of the actual corner; thence North 87 degrees 06 minutes 02 seconds East, a distance of 330.00 feet along said North line to a point on the East line of said West half, referenced by a railroad rail post 0.5' South and 0.5' West of the actual corner; thence South 02 degrees 47 minutes 27 seconds East, a distance of 587.51 feet along said East line to the POINT OF BEGINNING containing 4.030 acres (175,547.540 square feet), more or less. Subject to easements of record.

Current owner of record:
Stacy, Lorraine
1601 East Cook Road
Reimbursement to City = $3,565.23

Parcel (Tract) B: Document Number 200035019

Part of the West half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 12, Township 31 North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a ½ inch rebar marking the Southeast corner of said Southeast Quarter; thence 87 degrees 06 minutes 02 seconds West (state plane bearing and basis of bearings to follow), distance of 330.00 feet along the South line of said Southeast Quarter to the East line of the West half of the Southeast Quarter of the Southeast Quarter of said Southeast Quarter; thence North 02 degrees 47 minutes 27 seconds West, a distance of 72.49 feet along said East line to a ½ inch rebar on the Northerly right-of-way line of Cook Road; thence South 72 degrees 58 minutes 29 seconds West, a distance of 111.21 feet along said Northerly right-of-way to a 5/8 inch steel rebar, with Karst identification cap, set at the POINT OF BEGINNING of the herein described tract; thence continuing South 72 degrees 58 minutes 29 seconds West, a distance of 28.35 feet along said Northerly right-of-way line to a concrete INDOT right-of-way monument; thence South 85 degrees 14 minutes 10 seconds West, a distance of 92.58 feet along said Northerly right-of-way line to a 5/8 inch steel rebar set with Karst identification cap; thence North 02 degrees 47 minutes 27 seconds West, a distance of 235.00 feet, parallel with the East line of said Southeast Quarter to a 5/8 inch steel rebar set with Karst identification cap; thence North 87 degrees 06 minutes 02 seconds East, a distance of 120.00 feet, parallel with the South line of said Southeast Quarter to a 5/8 inch steel rebar set with Karst identification cap; thence South 02 degrees 47 minutes 27 seconds East, a distance of 225.07 feet, parallel with the East line of said Southeast Quarter to the POINT OF BEGINNING, containing 0.640 acres (27,882.777 square feet), more or less. Subject to easements of record.

Current owner of record:
Stacy, Lorraine
1601 East Cook Road
Reimbursement to City = $3,565.23

Parcel (Tract) C:

Part of the West half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 12, Township 31, North, Range 12 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a ½ inch rebar marking the Southeast corner of said Southeast Quarter; thence South 87 degrees 06 minutes 02 seconds West (state plane bearing and basis of bearings to follow), a distance of 330.00 feet along the South line of said Southeast Quarter to the East line of the West half of the Southeast Quarter of the Southeast Quarter of said Southeast Quarter; thence North 02 degrees 47 minutes 27 seconds West, a distance of 72.49 feet along said East line to a ½ inch rebar on the Northerly right-of-way line of Cook Road and POINT OF BEGINNING of the herein described tract; thence South 72 degrees 58 minutes 29 seconds West, a distance of 111.21 feet along said Northerly right-of-way line to the East line of an existing 0.640 acres tract described in Document Number 200035019 in the Office of the Recorder of Allen County, Indiana; thence North 02 degrees

47 minutes 27 seconds West, a distance of 145.51 feet along said East line; thence North 87 degrees 15 minutes 17 seconds East, a distance of 107.86 feet to the East line of the West half of the Southeast Quarter of the Southeast Quarter of said Southeast Quarter; thence South 02 degrees 47 minutes 27 seconds East, a distance of 103.56 feet along said East line to the POINT OF BEGINNING, containing 0.326 acres, more or less. Subject to easements of record.

Current owner of record:
Stacy, Lorraine
1601 East Cook Road
Reimbursement to City = $3,565.23

7433 Auburn Road: Key Number: 02-07-12-477-022.000.073 / 80-0012-9017

Part of a certain 2.5 acre tract of land in the Southeast Quarter of the Southeast Quarter of Section 12, Township 31 North, Range 12 East, Allen County, Indiana, said part being more particularly described as follows, to wit:

Beginning on the East line of said Southeast Quarter at a point situated 226.25 feet, N 00 degrees 30 minutes West (deed bearing and is used as the basis for the bearings in this description) of the Southeast corner of said Southeast Quarter; thence North 00 degrees 30 minutes West, on and along said East line, being also the centerline of Auburn Road, 103.75 feet; thence South 89 degrees 20 minutes West (recorded South 89 degrees 23.5 minutes West), and parallel to the South line of said Southeast Quarter, 330.0 feet; thence South 00 degrees 30 minutes East, and parallel to said East line, 257.7 feet to the Northerly right-of-way line of relocated Cook Road as said right-of-way was taken by the State Highway Department of Indiana according to the right-of-way grant recorded in Deed Record 576, Pages 485-488, in the Office of the Recorder of Allen County, Indiana; thence North 75 degrees 07 minutes East, on and along said right-of-way line, 50.8 feet; thence North 60 degrees 53 minutes East, continuing along said right-of-way line, 297.1 feet; thence North 89 degrees 30 minutes East, 20.0 feet to the point of beginning, containing 1.376 acres of land, subject to legal right-of-way for Auburn Road.

Current owner of record:
Patricia and Michael Hartig
7433 Auburn Road
Reimbursement to City = $3,565.23

BOARD OF STORMWATER MANAGEMENT
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 93-1-25-06-2

WHEREAS, the Board of Stormwater Management (the "Board") wishes to support the City's efforts through their Flood Buyout Program to purchase properties that are located in the flood plain and that have been consistently damaged by floods;

WHEREAS, the Board has set aside funds from storm rates to be used to purchase said properties in the Flood Buyout Program;

WHEREAS, the Board acknowledges that the City has access to federal grants;

WHEREAS, the Board desires that as many properties as possible be purchased through the Federal Grant Flood Buyout Program;

NOW THEREFORE, BE IT RESOLVED by the Board of Stormwater Management that, consistent with the Board's desire to maximize the funds available to purchase properties through their Flood Buyout Program:

1. The Board hereby contributes to the City an amount of $89,425.42 for the purpose of providing a local match for Federal Grants FMA-A and FMA-B; and $650.00 for the purpose of providing funds for purchase of property under the HMGP Grant under the following conditions;

    a. The funds shall be used for the restricted purpose of Federal Grant Flood Buyout Programs.

Adopted and approved this 25th **day of** January**, 2006.**

City of Fort Wayne
Board of Stormwater Management

By: _____
Greg Meszaros, Chairman

Regina A. Kostoff
Regina A. Kostoff, Member

John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BOARD OF STORMWATER MANAGEMENT
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 93-1-25-06-2

WHEREAS, the Board of Stormwater Management (the "Board") wishes to support the City's efforts through their Flood Buyout Program to purchase properties that are located in the flood plain and that have been consistently damaged by floods;

WHEREAS, the Board has set aside funds from storm rates to be used to purchase said properties in the Flood Buyout Program;

WHEREAS, the Board acknowledges that the City has access to federal grants;

WHEREAS, the Board desires that as many properties as possible be purchased through the Federal Grant Flood Buyout Program;

NOW THEREFORE, BE IT RESOLVED by the Board of Stormwater Management that, consistent with the Board's desire to maximize the funds available to purchase properties through their Flood Buyout Program:

1. The Board hereby contributes to the City an amount of $89,425.42 for the purpose of providing a local match for Federal Grants FMA-A and FMA-B; and $650.00 for the purpose of providing funds for purchase of property under the HMGP Grant under the following conditions;

   a. The funds shall be used for the restricted purpose of Federal Grant Flood Buyout Programs.

Adopted and approved this 25th **day of** January**, 2006.**

City of Fort Wayne
Board of Stormwater Management

By: _____
Greg Meszaros, Chairman

Regina A. Kostoff
Regina A. Kostoff, Member

John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: January 23, 2006

RE: SRF (STATE REVOLVING FUNDS) - 2002

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 6,251.00** to be paid from 2002 State Revolving Funds. These expense are for the WPCP Headworks project – W.O. 74595.

Draw #140	Donohue & Associates	$ 775.00
Draw #141	C H 2 M Hill Inc.	5,476.00
	Total SRF Payments	**$ 6,251.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

January 25, 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: January 23, 2006

RE: SRF (STATE REVOLVING FUNDS) - 2005

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 23,348.00** to be paid from 2005 State Revolving Funds. These expense are for the WPCP Primary Clarifiers project – W.O. 74742 and Dechlorination Repackaging – W.O. 75003.

Draw #14 & #17	Donohue & Associates	$ 21,673.00
Draw #16	C H 2 M Hill Inc.	1,675.00
	Total SRF Payments	**$ 23,348.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

January 25, 2006
Date

10

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

To: Members, Board of Public Works

From: Regina A. Kostoff, Chair, Board of Public Works

CC: Greg Meszaros, Director, Public Works and City Utilities

Bob Kennedy, Associate Director, Public Works and City Utilities

Date: 1/20/06

Re: Board of Public Works Appointment to the Plan Commission

The Board of Public Works has one appointment to the City Plan Commission. Currently, our appointment is David Sholl. Mr. Sholl wishes to resign his Plan Commission appointment.

The Mayor has recruited a possible replacement, local attorney Bruce O. Boxberger. Mr. Boxberger is a principal with Carson, Boxberger LLP. His resume is attached for your review. Mr. Boxberger is extremely knowledgeable regarding municipal law as is evidenced by his six years of experience as Corporation Counsel for the City of Fort Wayne. I believe Mr. Boxberger to be a highly qualified candidate and he would be an excellent addition to the Plan Commission.

I would recommend that we approve Mr. Boxberger as our representative to the Plan Commission.

Attachment

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

Date: January 25, 2006

ATTEST: **Marilyn Huth, Clerk**

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

January 26, 2006

Bruce Boxberger
9627 Kasota Ct
Fort Wayne, IN 46804

Dear Mr. ~~Boxberger~~ Bruce:

I am pleased to appoint you to the Plan Commission as a representative of the Board of Public Works for the City of Fort Wayne. At your earliest convenience, please contact Sandra Kennedy, City Clerk, at 427-1221 to schedule a time to be sworn in.

Mayor Richard's goals are to continuously improve city government and provide excellent services to all the citizens of Fort Wayne. The Mayor is also working hard to create quality jobs and make Fort Wayne the safest city of its size in the country. The Board of Public Works is working closely with Mayor Richard to ensure his goals are met. Thank you for assisting us by volunteering to participate on this commission.

Sincerely,

Regina A. Kostoff, Chair
Board of Public Works

Cc File
Sandra Kennedy, City Clerk

CARSON BOXBERGER LLP

ATTORNEYS AT LAW

Bruce O. Boxberger

bob@carsonboxberger.com

(260) 423-9411 ext: 407

Practice Areas:
Corporate Law; Tax Law; Labor Law; Commercial Law; International Law.

Education:
Indiana University (J.D., magna cum laude, 1973; B.A. with honors, 1971). Editor, Indiana Law Review, 1973.

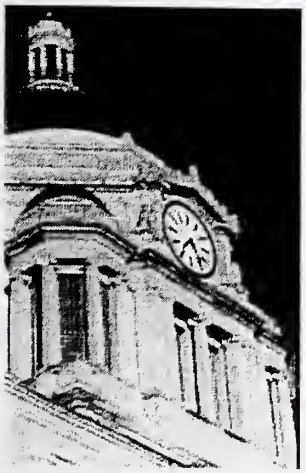
Admission to Practice:
State of Indiana; U.S. District Court, Northern and Southern Districts of Indiana; U.S. Tax Court; U.S. Supreme Court.

Additional Professional Experience:
Corporation Counsel, City of Fort Wayne (1981-1987).

Professional Associations:
Allen County, Indiana State and American Bar Associations; American Labor Law Institute; Indiana Association of City Law Officers; National Association of Municipal Law Officers.

Service to Community / Profession:
Three Rivers Ambulance Association (Trustee).

Awards / Recognition:
The Best Lawyers in America (2006)
Indiana Super Lawyer (2005,2004)



17

EMERGENCY RESOLUTION NUMBER 13-2-1-06-2
1400 Roy Street

WHEREAS, the existing combination sewer manhole has collapsed

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the collapse is beyond the workload of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T-E Incorporated, Scheidleman Excavating, Bercot Inc., and Liberty Construction were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 1st day of February ,2006.

BOARD OF PUBLIC WORKS

By Regina A. Kostoff
Regina Kostoff, Chair

By Ryan P. Chasey
Ryan P. Chasey, Member

By John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
~~Marylin~~ Huth, Clerk
MARILYN

1400 Roy Street
COMBINATION SEWER MANHOLE EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

This repair shall consist of replacing a brick manhole with a pre-cast concrete structure. The manhole is approximately 18 feet deep with two 12" lines at the bottom, incoming from the east and out letting to the north. At a depth of approximately 12feet from the west is another 12" line coming into the structure. Plus or minus 6 feet of sewer line each way will have to be replaced. The bottom two lines are clay pipe, the one at 12ft is pvc that was from an old repair. SDR 35 pvc pipe with no shear fernco adaptors can be used to connect to the old clay pipe.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne WPC Engineering Department specifications and standard drawings Development Criteria and Standards Manual.
2. Obtain and be responsible for all barricade, traffic control, street closing and right-of-way cut permits.
3. Payment Bond
4. Performance and Guaranty Bond
5. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
6. Contractor shall be required and responsible for placing and maintaining temporary barricades.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall take all precautions to prevent damages to the existing sanitary sewer and construction site, from storm water, from sanitary sewage entering the construction site from the existing sanitary sewer and from ground water. If damage does occur from one of the above sources, the Contractor shall make such repairs or replacement or re-build such parts of the existing combination sewer as determined by the engineer.
9. Contractor is to submit Monthly Payrolls and Manpower reports to the City Compliance Office Room 420.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition. Care must be taken to avoid damage to nearby existing trees.

PROPOSAL FOR COMBINATION SEWER EMERGENCY REPAIRS

BASE BID: All costs to complete all work to
Repair the existing 18 foot deep brick combination sewer manhole , including all incoming sewer lines and taps, restoration of all areas

LUMP SUM **$**_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2006.

FROM_____
Contractor

BY_____

MAUMEE
STREET
WINCH
STREET
PITTSBURG
STREET
STREET
STREET
AVENUE
WASHINGTON
AVENUE
WINCH ST. &
WHITE AVE.
EDSALL
McDONALD
HARVESTER
NORFOLK SOUTHERN
ADD.
ADD
ADD
ADD

A RESOLUTION OF THE STORMWATER MANAGEMENT BOARD OF THE CITY OF FORT WAYNE, INDIANA CONFIRMING RESOLUTION 1624-04 OF THE STORMWATER MANAGEMENT BOARD APPROPRIATING AND CONDEMNING REAL PROPERTY FOR USE BY THE CITY OF FORT WAYNE, INDIANA FOR CONSTRUCTION OF THE ARROW DRIVE STORM SEWER IMPROVEMENTS

Resolution Number: 93-2-1-06-1

WHEREAS, the Stormwater Management Board ("Board") of the City of Fort Wayne, Indiana ("City") has determined that the storm water management system in the general area of Arrow Drive, Sand Point Road, and Deforest Avenue, south of Engle Road and north and east of the Branstrator No. 2 Drain is insufficient to furnish the necessary collection and disposal of the stormwater to properly protect the public health and welfare and to safeguard the property within the area, and it is necessary to improve the stormwater system and equipment and to acquire interest in lands to further such improvement; and

WHEREAS, the Board has determined that, in order to improve said stormwater system, it is necessary to condemn and appropriate the property identified in Exhibit A, attached hereto and incorporated herein by this reference; and

WHEREAS, the Board has determined that it is necessary and beneficial and of public utility and benefit to proceed with such condemnation and appropriation; and

WHEREAS, IC 8-1.5-5-17 provides a mechanism pursuant to which the Board may proceed with such condemnation and appropriation; and

WHEREAS, the Board has determined that it is of public utility and benefit and in the best interests of the City of Fort Wayne to proceed to condemn and appropriate the property described in Exhibit A under the mechanism set forth in IC 8-1.5-5-17; and

WHEREAS, IC 8-1.5-5-17 requires the adoption by the Board of a resolution expressing the desire of the Board to condemn and appropriate such interests and identifying such real property as may be injuriously or beneficially affected; and

WHEREAS, pursuant to IC 8-1.5-5-17, the Board on December 21, 2005 adopted such resolution entitled, "A Resolution of the Stormwater Management Board of the City of Fort Wayne, Indiana, Approving the Arrow Drive Storm Sewer Improvements Project and Condemning and Appropriating Real Property for Use by the City of Fort Wayne, Indiana, for the Construction of the Arrow Drive Storm Sewer Improvements Project," ("Original Resolution"); and

WHEREAS, IC 8-1.5-5-17 requires the Board to publish notice of the adoption of said resolution and the date, time and place at which the Board shall receive or hear remonstrance from persons interested in or affected by the Board's proceedings under IC 8-1.5-5-17; and

WHEREAS, IC 8-1.5-5-17 requires the Board to consider any such remonstrance and then take final action confirming, modifying or rescinding its original resolution; and required to consider remonstrant; and

WHEREAS, pursuant to IC 8-1.5-5-18, the Board, on January 25, 2006, after proper publication of notice, held a public hearing to receive or hear remonstrance from persons interested in or affected by the Board's proceedings under IC 8-1.5-5-17; and

WHEREAS, IC 8-1.5-5-17 requires the Board to prepare a list or roll of all owners or holders of property and their respective interest therein sought to be taken or to be injuriously affected; and

WHEREAS, the Board has prepared a list of all property owners and their respective interest in the property sought to be hereby condemned and appropriated which list is attached as Exhibit A; and

NOW THEREFORE, be it resolved by the Stormwater Management Board of the City of Fort Wayne, Indiana as follows:

1. That the Board herby confirms and reaffirms its desire to condemn and appropriate the property described in Exhibit A and as set for in the Original Resolution.

2. That the Board hereby confirms and reaffirms that the condemnation and appropriation of real property as described in Exhibit A attached hereto is necessary, beneficial and of public utility and benefit as set forth in the original resolution.

3. That the Board hereby confirms and reaffirms the Original Resolution in its entirety and condemns and appropriates the property described in Exhibit A.

This resolution shall be in full force and effect from and after its adoption by the Stormwater Management Board of the City of Fort Wayne, Indiana.

Adopted this 1st Day of February, 2006.

STORMWATER MANAGEMENT BOARD

Greg Meszaros, Chairman

Regina A. Kostoff, Member

John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

25

EXHIBIT A

Property Owner and Address	Deed Reference	Legal Description Permanent Drainage Easement
Rollerdome South, Inc. 4540 Bluffton Road Fort Wayne, IN 46809 Property Interest: Fee Simple	71-18314	A-1
Mundy Realty, Inc. 4322 Deforest Avenue Fort Wayne, IN 46809 Property Interest: Fee Simple	203004664	A-2
HHM Auto, Inc. 4225 Arrow Drive Fort Wayne, IN 46809 Property Interest: Fee Simple	980052939	A-3
Sam J. Moore 4340 Deforest Avenue Fort Wayne, IN 46809 Property Interest: Fee Simple	78-30088	A-4

Total Estimated Cost of Project: $345,000
Total Cost Paid by City: $345,000
Total Cost Payble by Property Owner: $0

Exhibit A-1

Permanent Easement Description
Rollerdome South, Inc.
0.100 Acres (4,367.745 Square Feet)

Part of Lot Number One (1) in Richardville Reserve, West of the St. Mary's River, Fort Wayne, Allen County, Indiana, more particularly described as follows:

Commencing at a point on the Southwest line of said Lot #1 and the Northeast line of Lot #9 in Richardville Reserve, said point being 88.28 feet (79.3 feet deed) Southeast of the North corner of said Lot #9; thence North 25 degrees 21 minutes 33 seconds East (assumed bearing and basis of bearings to follow), a distance of 165.27 feet along the Easterly right-of-way line of Deforest Avenue to the Point of Beginning of the herein described easement; thence continuing North 25 degrees 21 minutes 33 seconds East, a distance of 312.93 feet along said Easterly right-of-way line to the North line of an existing tract described in Document Number 71-18314 in the Office of the Recorder of Allen County, Indiana; thence North 71 degrees 44 minutes 46 second East, a distance of 17.33 feet along said North line; thence South 21 degrees 47 minutes 55 seconds West, a distance of 7.85 feet; thence South 25 degrees 07 minutes 14 seconds West, a distance of 317.05 feet; thence North 64 degrees 38 minutes 27 seconds West, a distance of 14.36 feet to the Point of Beginning. Containing 0.100 acres (4,367.745 square feet) more or less. Subject to easements of record.

Exhibit A-2

Permanent Easement Description
Mundy Realty, LLC
0.309 Acres (13,456.357 Square Feet)

Part of the Northwest Quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana; thence East along the North line of said Northwest Quarter, a distance of 421.8 feet; thence South 04 degrees 00 minutes 00 seconds West, a distance of 408.00 feet to the North line of an existing tract described in Document Number 203004664 in the Office of the Recorder of Allen County, Indiana; thence South 89 degrees 55 minute 00 seconds East, a distance of 11.08 feet along said North line to the Point of Beginning of the herein described easement; thence continuing South 89 degrees 55 minutes 00 seconds East, a distance of 20.05 feet along said North line; thence South 04 degrees 00 minutes 00 seconds West, a distance of 492.42 feet; thence South 82 degrees 54 minutes 30 seconds East, a distance of 161.42 feet; thence South 03 degrees 01 minutes 30 seconds West, a distance of 20.05 feet to the South line of said existing tract; thence North 82 degrees 54 minutes 30 seconds West, a distance of 181.79 feet along said South line; thence North 04 degrees 00 minutes 00 seconds East, a distance of 510.00 feet to the Point of Beginning. Containing 0.309 acres (13,456.357 square feet) more or less. Subject to easements of record.

Temporary Easement Description (1)
Mundy Realty, LLC
0.129 Acres (5,627.623 Square Feet)

Part of the Northwest Quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana; thence East along the North line of said Northwest Quarter, a distance of 421.8 feet; thence South 04 degrees 00 minutes 00 seconds West, a distance of 408.00 feet to the North line of an existing tract described in Document Number 203004664 in the Office of the Recorder of Allen County, Indiana; also being the Point of Beginning of the herein described easement; thence South 89 degrees 55 minutes 00 seconds East, a distance of 11.08 feet along said North line; thence South 04 degrees 00 minutes 00 seconds West, a distance of 510.00 feet to the South line of said existing tract; thence North 82 degrees 54 minutes 30 seconds West, a distance of 11.07 feet along said South line to the West Line of said existing tract; thence North 04 degrees 00 minutes 00 seconds East, a distance of 508.65 feet along said West line to the Point of Beginning. Containing 0.129 acres (5,627.623 square feet) more or less. Subject to easements of record.

Temporary Easement Description (2)
Mundy Realty, LLC
0.040 Acres (1,763.714 Square Feet)

Part of the Northwest Quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana; thence East along the North line of said Northwest Quarter, a distance of 421.8 feet; thence South 04 degrees 00 minutes 00 seconds West, a distance of 408.00 feet to the North line of an existing tract described in Document Number 203004664 in the Office of the Recorder of Allen County, Indiana; thence South 89 degrees 55 minutes 00 seconds East, a distance of 11.08 feet along said North line; thence South 04 degrees 00 minutes 00 seconds West, a distance of 510.00 feet to the South line of said existing tract; thence South 82 degrees 54 minutes 30 seconds East, a distance of 20.03 feet along said South line; thence North 04 degrees 00 minutes 00 seconds East, a distance of 20.03 feet to the Point of Beginning of the herein described easement; thence continuing North 04 degrees 00 minutes 00 seconds East, a distance of 10.01 feet; thence South 82 degrees 54 minutes 30 seconds East, a distance of 176.29 feet; thence South 03 degrees 01 minutes 30 seconds West, a distance of 10.03 feet; thence North 82 degrees 54 minutes 30 seconds West, a distance of 176.46 feet to the Point of Beginning. Containing 0.040 acres (1,763.714 square feet) more or less. Subject to easements of record.

Exhibit A-3

Permanent Easement Description
HHM Auto, Inc.
0.031 Acres (1,339.150 Square Feet)

Part of Lot Numbered 14 in Arrow Addition, recorded in Plat Book 21, Page 147 in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of Lot 14 in said Arrow Addition; thence North 00 degrees 53 minutes 18 seconds West (assumed bearing and basis of bearings to follow), a distance of 10.02 feet along the East right-of-way line of Arrow Drive; thence South 89 degrees 59 minutes 48 seconds East, a distance of 132.20 feet; thence South 55 degrees 02 minutes 39 seconds East, a distance of 16.15 feet to a point on the South line of said Lot 14; thence South 89 degrees 42 minutes 09 seconds West, a distance of 145.28 feet along said South line to the Point of Beginning. Containing 0.031 acres (1,339.150 square feet) more or less. Subject to easements of record.

Exhibit A-4

Permanent Easement Description
Sam J. Moore
0.203 Acres (8,833.133 Square Feet)

Part of the Northwest Quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the Sand Point Road with the centerline of DeForest Avenue, also being the Northwesterly line of Richardville Reserve; thence Southwesterly along the centerline of the Sand Point Road a distance of 96.81 feet (86.25 feet Deed) to a point on the West line of the vacated right-of-way of the Fort Wayne, Bluffton and Marion Traction Company, said point also being on the West line of an existing tract described in Document Number 78-30088 in the Office of the Recorder of Allen County, Indiana; thence North 03 degrees 01 minutes 30 seconds East, a distance of 28.52 feet along the West line of said vacated right-of-way line and the West line of said existing tract to the Northerly right-of-way line of said Sand Point Road, also being the Point of Beginning of the herein described easement; thence continuing North 03 degrees 01 minutes 30 seconds East, a distance of 359.01 feet along said West line to the North line of said existing tract; thence South 82 degrees 54 minutes 30 seconds East, a distance of 25.06 feet along said North line; thence South 03 degrees 01 minutes 30 seconds West, a distance of 347.64 feet parallel with the West line of said existing tract to the North right-of-way line of said Sand Point Road; thence South 72 degrees 00 minutes 55 seconds West, a distance of 26.78 feet along said North right-of-way line to the Point of Beginning. Containing 0.203 acres (8,833.133 square feet) more or less. Subject to easements of record.

Temporary Easement Description
Sam J. Moore
0.119 Acres (5,163.321 Square Feet)

Part of the Northwest Quarter of Section 22, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the Sand Point Road with the centerline of DeForest Avenue, also being the Northwesterly line of Richardville Reserve; thence Southwesterly along the centerline of the Sand Point Road a distance of 96.81 feet (86.25 feet Deed) to a point on the West line of the vacated right-of-way of the Fort Wayne, Bluffton and Marion Traction Company, said point also being on the West line of an existing tract described in Document Number 78-30088 in the Office of the Recorder of Allen County, Indiana; thence North 03 degrees 01 minutes 30 seconds East, a distance of 28.52 feet along the West line of said vacated right-of-way line and the West line of said existing tract to the Northeasterly right-of-way line of said Sand Point Road; thence North 72 degrees 00 minutes 55 seconds East, a distance of 26.78 feet along said right-of-way line to the Point of Beginning of the herein described easement; thence North 03 degrees 01 minutes 30 seconds East, a distance of 347.64 feet parallel with the West line of said existing tract to the North line of said existing tract; thence South 82 degrees 54 minutes 30 seconds East, a distance of 15.04 feet along said North line to the East line of said vacated right-of-way of the Fort Wayne, Bluffton and Marion Traction Company; thence South 03 degrees 01 minutes 30 seconds West, a distance of 340.81 feet along said East line to the North right-of-way line of said Sand Point Road; thence South 72 degrees 00 minutes 55 seconds West, a distance of 16.07 feet along said North right-of-way line to the Point of Beginning. Containing 0.119 acres (5,163.321 square feet) more or less. Subject to easements of record.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 1st day of February 2006, personally appeared Greg Meszaros, Regina A. Kostoff, John Suarez, and Marilyn Huth, and acknowledged the execution of the foregoing to be a voluntary act and deed, for the uses and purposes therein set forth.

Witness my hand and notarial seal.

Michelle Renee Hadley
Notary Public

Michelle Renee Hadley
Printed Name

My Commission Expires:

MICHELLE RENEE HADLEY
State of Indiana
County of Allen
My Commission Expires 11/26/2006

County of Residence: Allen

This instrument was prepared by Kristine A. Degabriele, Associate City Attorney.

IMPROVEMENT RESOLUTION NO. 7076-06

CLINTON ST LANE REDUCTION: SUPERIOR ST TO FREIMANN PARK DR WORK ORDER NO. 11872

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **CLINTON STREET EAST SIDEWALK FROM SUPERIOR STREET TO FREIMANN PARK DRIVE APPROACH BY REMOVING EXISTING EAST TRAFFIC LANE STREET PAVEMENT AND WALK; CONSTRUCTING CONCRETE CURB FACED SIDEWALK WITH TREE PLANTERS, BRICK PAVER BOARDER AND PRECAST CONCRETE BOLLARDS; CONSTRUCTING CURB RAMPS; MARKING PAVEMENT AND PROVIDING OTHER RELATED ROADWAY WORK.**

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 1st day of February, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

EMERGENCY RESOLUTION NUMBER 93-2-1-06-2
1400 Roy Street

WHEREAS, the existing combination sewer manhole has collapsed

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the collapse is beyond the workload of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T-E Incorporated, Scheidleman Excavating, Bercot Inc., and Liberty Construction were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 1st day of February ,2006.

BOARD OF PUBLIC WORKS

By Regina A. Kostoff
Regina Kostoff, Chair

By Ryan P. Chasey
Ryan P. Chasey, Member

By John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
~~Marylin~~ Huth, Clerk
MARILYN

34

1400 Roy Street
COMBINATION SEWER MANHOLE EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

This repair shall consist of replacing a brick manhole with a pre-cast concrete structure. The manhole is approximately 18 feet deep with two 12" lines at the bottom, incoming from the east and out letting to the north. At a depth of approximately 12feet from the west is another 12" line coming into the structure. Plus or minus 6 feet of sewer line each way will have to be replaced. The bottom two lines are clay pipe, the one at 12ft is pvc that was from an old repair. SDR 35 pvc pipe with no shear fernco adaptors can be used to connect to the old clay pipe.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne WPC Engineering Department specifications and standard drawings Development Criteria and Standards Manual.
2. Obtain and be responsible for all barricade, traffic control, street closing and right-of-way cut permits.
3. Payment Bond
4. Performance and Guaranty Bond
5. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
6. Contractor shall be required and responsible for placing and maintaining temporary barricades.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall take all precautions to prevent damages to the existing sanitary sewer and construction site, from storm water, from sanitary sewage entering the construction site from the existing sanitary sewer and from ground water. If damage does occur from one of the above sources, the Contractor shall make such repairs or replacement or re-build such parts of the existing combination sewer as determined by the engineer.
9. Contractor is to submit Monthly Payrolls and Manpower reports to the City Compliance Office Room 420.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition. Care must be taken to avoid damage to nearby existing trees.

PROPOSAL FOR COMBINATION SEWER EMERGENCY REPAIRS

BASE BID: All costs to complete all work to
Repair the existing 18 foot deep brick combination sewer manhole , including all incoming sewer lines and taps, restoration of all areas

LUMP SUM **$**_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2006.

FROM_____
Contractor

BY_____

MAUMEE
AVENUE
WASHINGTON
DETZER
WINCH ST. &
STREET
WINCH
STREET
PITTSBURG
STREET
STREET
STREET
STREET
NORFOLK SOUTHERN
ADD.
TAYLOR AND ABBOTTS ADD
HILLVIEW ADD
CHERRY ADD
EDSALL AVENUE
WHITE AVE.
HARVESTER VIEW ADD
McDONALD
12" x 12" BOX CULVERT
TRUE DIMS UNKNOWN
SY-10533
24

STREET LIGHT RESOLUTION

NUMBER 300-06

2006A C.E.D.I.T. NEIGHBORHOOD

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install a street light system in CONCORDIA GARDENS ADDITION (6700 - 7000 Woodbrook Dr., 2300 – 2400 Park Crest Dr., 2000 – 2400 Bellvue Dr., 6800 – 7300 Riverton Dr.); HIGHLAND PARK ADDITION (3600 – 3700 Allen Dr., 3500 – 3800 Parkhill Ave., 3700 – 3900 Newport Ave., 700 Fernwood Ave., 500 – 700 Cumberland Ave.); all in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded 100% by 2006 2nd & 3rd Council District CEDIT Funds. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

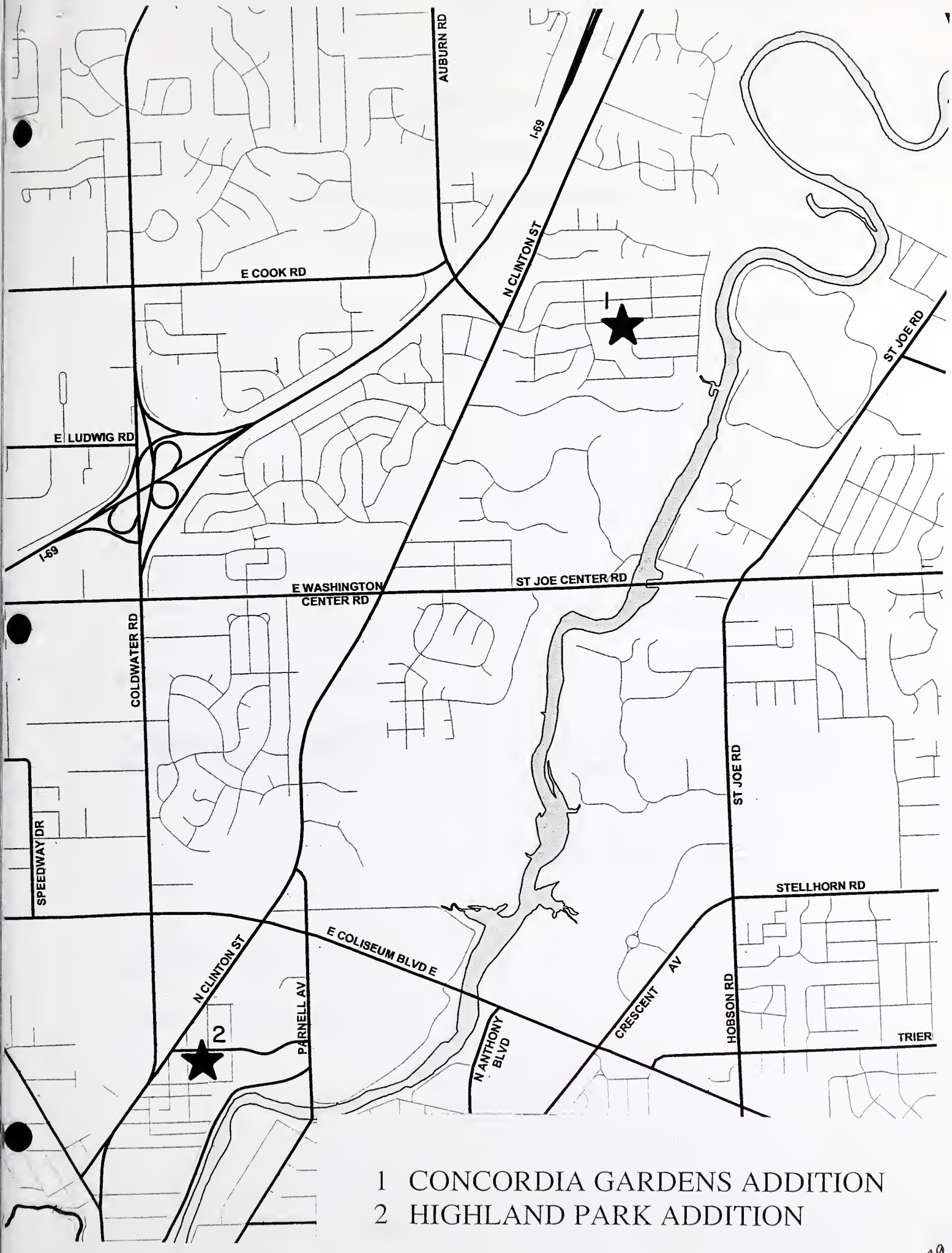
John Suarez – Member

Ryan P. Chasey – Member

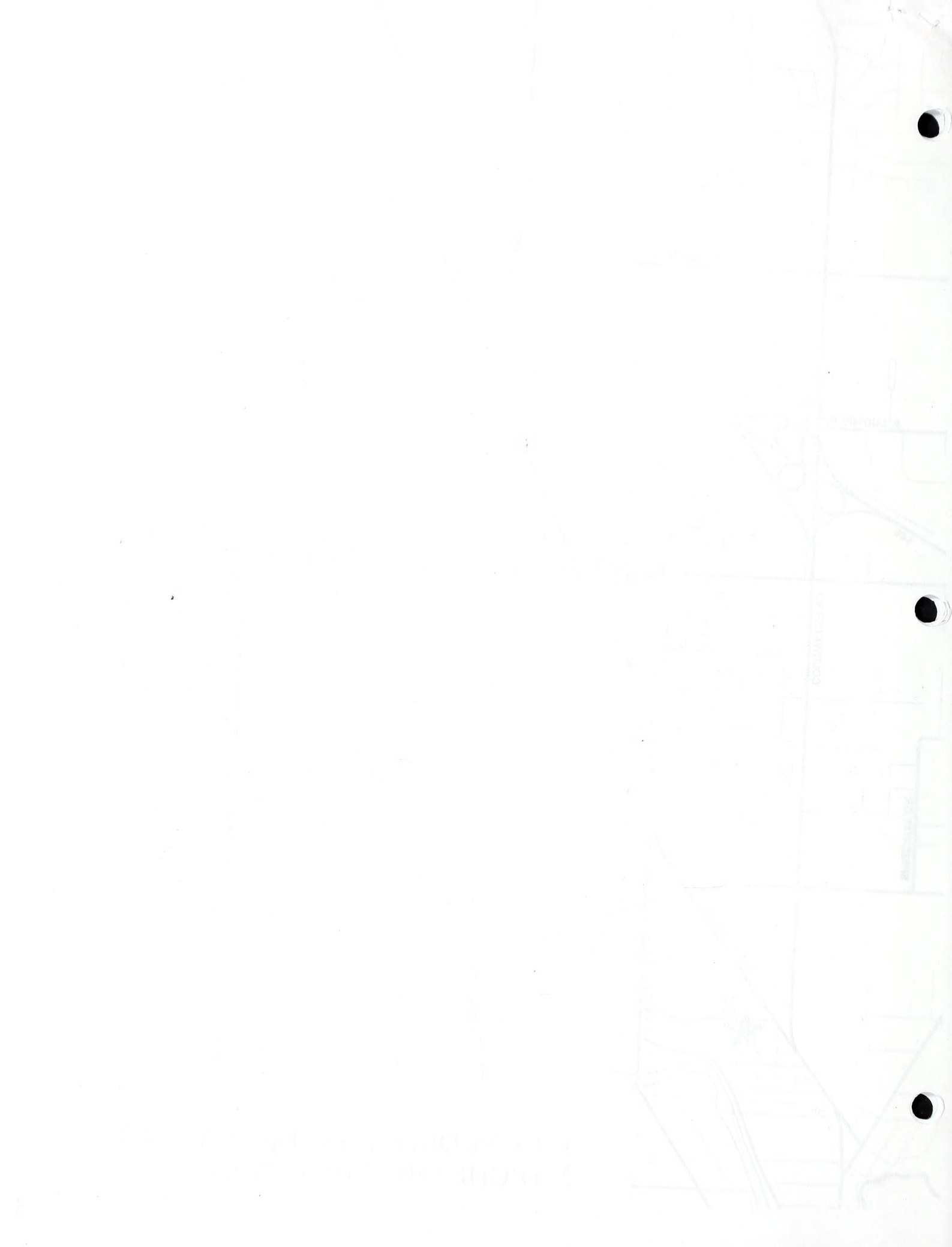
ATTEST:

Marilyn Huth – Clerk

Dated this 1st day of February, 2006



1 CONCORDIA GARDENS ADDITION
2 HIGHLAND PARK ADDITION



STREET LIGHT RESOLUTION

NUMBER 301-06

2006B C.E.D.I.T. NEIGHBORHOOD

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install a street light system in LAKE FOREST ADDITION (6800 – 7000 Forestview Dr., 2200 Lakeland La.); MAPLEWOOD PARK ADDITION (3800 – 4000 Fernbank Dr., 3900 – 4200 Springwood Dr., 3900 – 4100 Beaverbrook Dr., 6600 – 6800 Kirkdale Dr., 6800 – 6900 Sunland Dr., 6600 – 6700 Clovercrest Dr.) 6300 DOWNINGTON DRIVE; FAIRFIELD TERRACE SECTION B ADDITION (100 – 400 Pursley Dr., 100 – 400 Hollis La., 5800 – 6100 S. Calhoun St.); 4100 OXFORD STREET; all in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded 100% by 2006 1st, 5th & 6th Council District CEDIT Funds. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

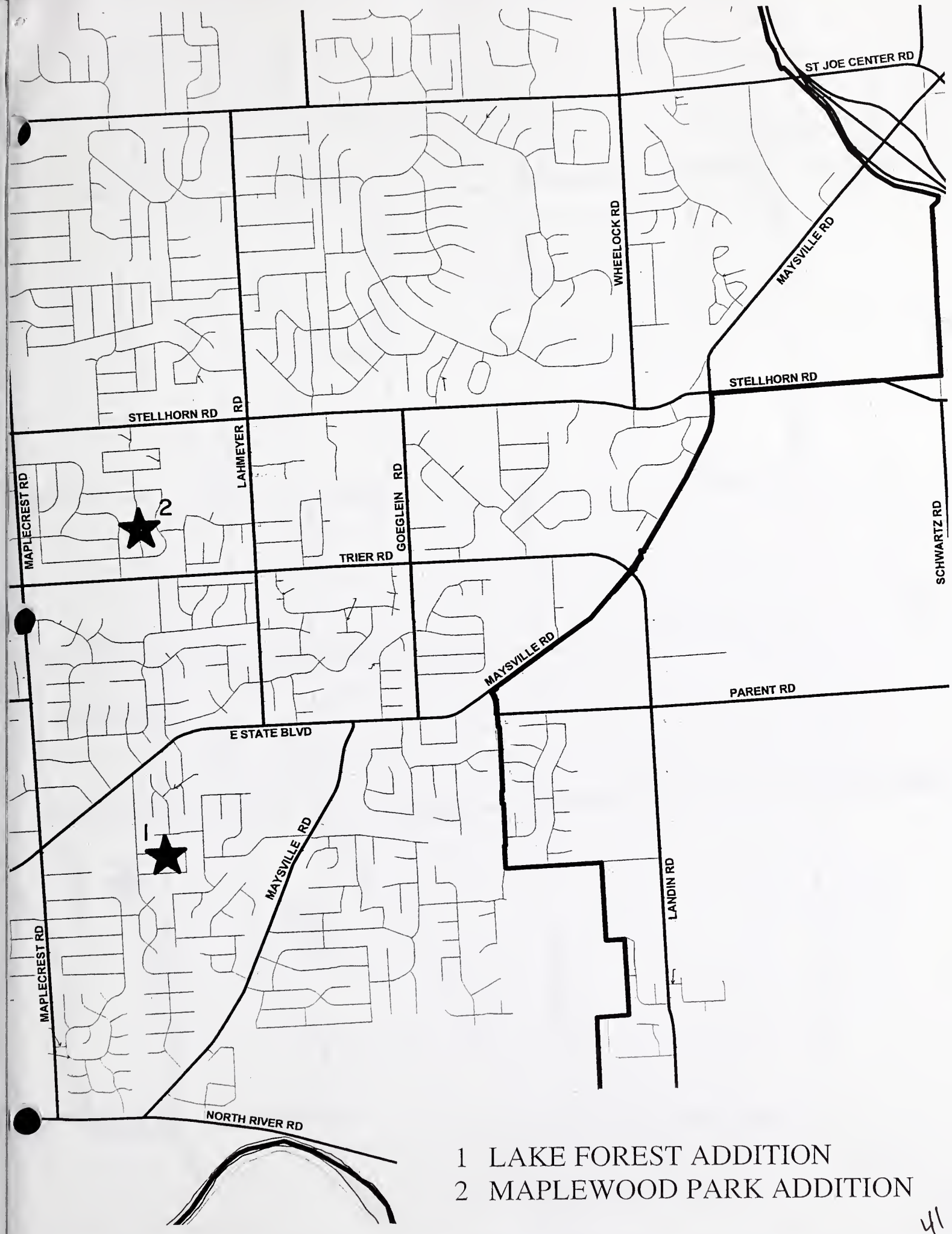
John Suarez – Member

Ryan P. Chasey – Member

ATTEST:

Marilyn Huth – Clerk

Dated this 1st day of February, 2006



1 LAKE FOREST ADDITION
2 MAPLEWOOD PARK ADDITION

3 6300 DOWNINGTON DRIVE
4 FAIRFIELD TERRACE SECTION B
5 4100 OXFORD STREET

AMENDED
RESOLUTION NO. 1831-2006
PLANT 1 EAST PRIMARY TANK REPAIR

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

WHEREAS, the Three Rivers Water Filtration Plant No 1 was built in 1931, and

WHEREAS, parts of the plant exposed to weathering effects of freeze and thaw are now 75 years old, and

WHEREAS, the concrete has cracked and a column holding primary settling tank equipment needs repaired, and

WHEREAS, plant No 1 is important to the water treatment production capacity, and

WHEREAS, the capacity is needed to support other construction projects and the spring / summer water consumption needs, and

WHEREAS, the Board of Public Works Declared an emergency on January 4, 2006 and the estimated project cost at that time was $200,000, and

WHEREAS, two quotes as required to be taken for the work are attached, Shambaugh & Son, L.P.'s quote was $91,165 and Mason Engineering And Construction, Inc 's quote was $65,152. Plus $4,462 for equipment handling (total of $69,614), and

WHEREAS, the revised total project cost is $95,000.

NOW THEREFORE, The Board of Public Works hereby amends emergency resolution no 1831-2006 for said repairs and orders the Purchasing Department to issue an EMERGENCY PURCHASE ORDER to Mason Engineering and Construction in the amount of $69,614.

APPROVED THIS 1st DAY OF February, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

EMERGENCY RESOLUTION NUMBER 93-2-8-06-3
1634 FOURTH STREET

WHEREAS, the existing 12" Combination sewer line has collapsed and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the settlement is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Bercot, T & E, Liberty and Scheidelman Constuction companies, will be invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 8th day of February, 2006.

BOARD OF PUBLIC WORKS

By Regina A. Kostoff
Regina Kostoff, Chair

By
Ryan P. Chasey, Member

By John Suarez
John Suarez, Member

ATTEST: Michelle Nelson, Acting Clerk
Marylin Huth, Clerk

1634 Fourth Street
REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Repair of + or – 8ft of a 12" VCP combination sewer line and two 6 inch taps to the houses on either side of the alley. The line is approximately 21 ft deep and it is located in the concrete alley behind this address. The repair material will be SDR 35 PVC pipe and PVC sanitary tees. The line flows east to west. The 6" tap to the house at 1634 has been dug up in the back yard. The contractor doing the 12" main repair will be required to bring the 6" tap up from the tee and extend it past the property line into the existing excavation where the home owner can then finish reconnecting their tap.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne WPC Engineering Department specifications and standard drawings Development Criteria and Standards Manual.
2. Obtain and be responsible for all barricade, traffic control, street closing and right-of-way cut permits.
3. Payment Bond
4. Performance and Guaranty Bond
5. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
6. Contractor shall be required and responsible for placing and maintaining temporary barricades.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall take all precautions to prevent damages to the existing sanitary sewer and construction site, from storm water, from sanitary sewage entering the construction site from the existing sanitary sewer and from ground water. If damage does occur from one of the above sources, the Contractor shall make such repairs or replacement or re-build such parts of the existing combination sewer as determined by the engineer.
9. Contractor is to submit Monthly Payrolls and Manpower reports to the City Compliance Office Room 420.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition. Care must be taken to avoid damage to nearby existing trees.

1634 FOURTH STREET
12" COMBINATION SEWER REPAIR

BASE BID:
ITEM NO. 1 All costs to repair and restore the 12" combination line and taps and the alley.

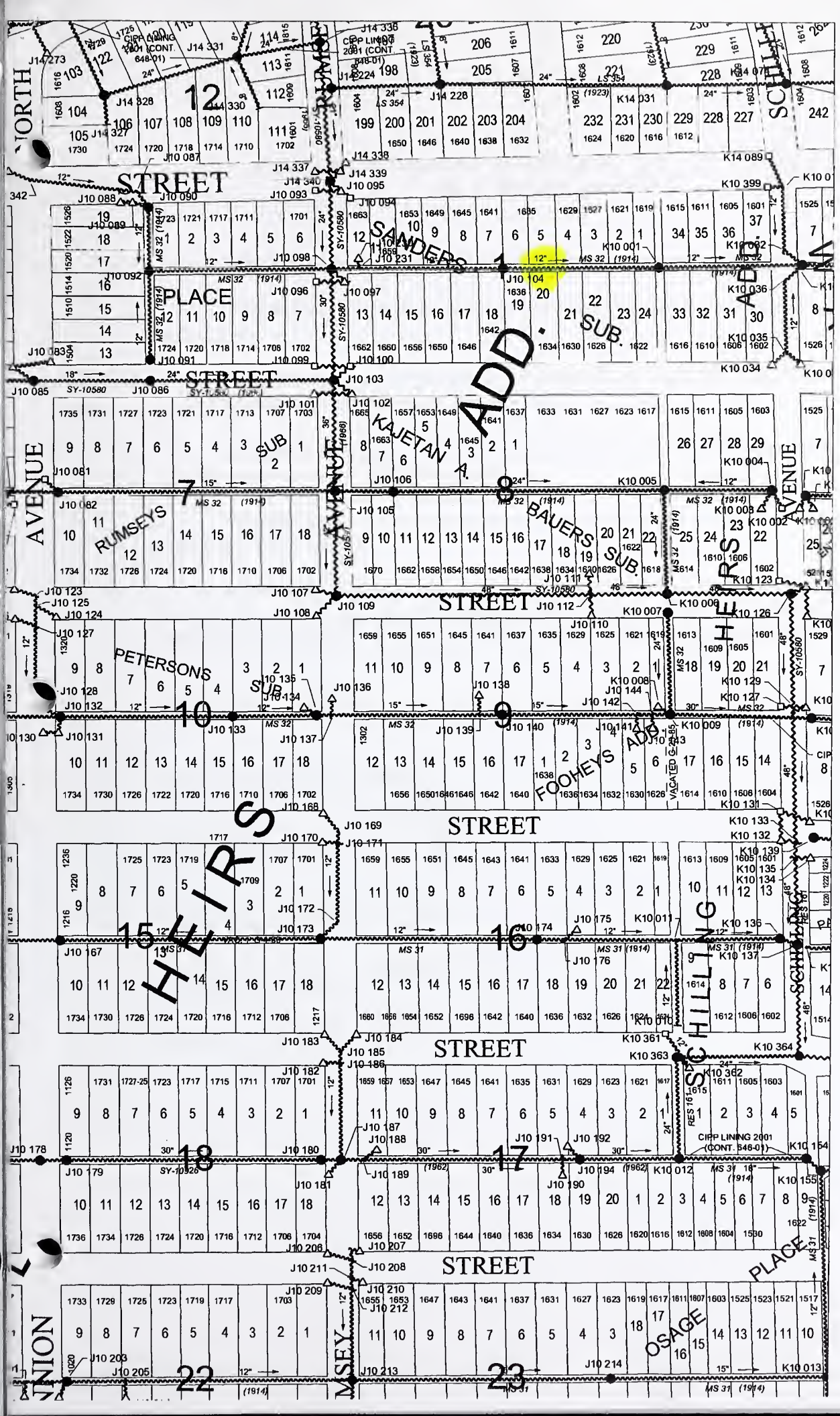
LUMP SUM **$**_____

Fax 219-427-1455
The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2006.

FROM_____
Contractor

BY_____



CITY OF FORT WAYNE
SEWER UTILITY

CITY COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, IN 46802

PRODUCED BY
CITY OF FORT WAYNE
G.I.S. DEPARTMENT

LEGEND

- SAN/COMBO/RELIEF MANHOLE
- STORM MANHOLE
- ABANDONED MANHOLE
- CATCH BASIN
- STORM INLET
- CLEANOUT
- HEADWALL
- HEADWALL W/ FLAP GATE
- BULKHEAD
- PS PUMP STATION
- R REGULATOR
- AIR RELEASE VALVE
- SANITARY PIPE / STORM PIPE
- COMBINED PIPE
- FORCE MAIN
- PRIVATE MAIN
- RELIEF PIPE
- ABANDONED MAIN
- R22 165 STRUCTURE ID
- 123456 PROJECT ID
- FLOW DIRECTION

NOTICE: THE INFORMATION DISPLAYED ON THIS MAP CONCERNING LOCATION, TYPE, SIZE AND MATERIAL OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIZE. INFORMATION SHOWN WAS OBTAINED FROM AVAILABLE RECORDS FIELD INVESTIGATION SHOULD BE CONDUCTED TO DETERMINE ACCURACY

, RANGE 12 E

LEN CO.

" = 200'

12

EMERGENCY RESOLUTION NUMBER 73-2-8-06-2
2908 PITTSBURG STREET

WHEREAS, the existing 12" Combination sewer line has collapsed and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the settlement is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Bercot, T & E, Liberty and Scheidelman Constuction companies, will be invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 8th day of February ,2006.

BOARD OF PUBLIC WORKS

By Regina A. Kostoff
Regina Kostoff, Chair

By
Ryan P. Chasey, Member

By John Suarez
John Suarez, Member

ATTEST: Michelle Nelson, Acting Clerk
Marylin Huth, Clerk

2908 Pittsburg Street
REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Repair of + or – 8ft of a 12" VCP combination sewer line and two 6 inch taps to the houses on either side of the alley. The line is approximately 18 ft deep and it is located in the gravel alley behind this address. The repair material will be SDR 35 PVC pipe and PVC sanitary tees. The line flows east to west.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne WPC Engineering Department specifications and standard drawings Development Criteria and Standards Manual.
2. Obtain and be responsible for all barricade, traffic control, street closing and right-of-way cut permits.
3. Payment Bond
4. Performance and Guaranty Bond
5. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
6. Contractor shall be required and responsible for placing and maintaining temporary barricades.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall take all precautions to prevent damages to the existing sanitary sewer and construction site, from storm water, from sanitary sewage entering the construction site from the existing sanitary sewer and from ground water. If damage does occur from one of the above sources, the Contractor shall make such repairs or replacement or re-build such parts of the existing combination sewer as determined by the engineer.
9. Contractor is to submit Monthly Payrolls and Manpower reports to the City Compliance Office Room 420.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition. Care must be taken to avoid damage to nearby existing trees.

2908 PITTSBURG STREET
12" COMBINATION SEWER REPAIR

BASE BID:
ITEM NO. 1 All costs to repair and restore the 12" combination line and taps and the alley.

LUMP SUM **$**_____

Fax 219-427-1455
The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2006.

FROM_____
Contractor

BY_____

MAUMEE
AVENUE
WASHINGTON
BLVD
WINCH ST.
STREET
WINCH
PITTSBURG
STREET
STREET
STREET

IMPROVEMENT RESOLUTION NO. 7077-06

PARK STATE EAST ADDITION SIDEWALKS
WORK ORDER NO. 11918

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **Sidewalks and some drive approaches for Wyoming Pass from Goeglein Rd. to Montana Drive, and Park State Drive from Goeglein Rd. to Montana Drive, and Montana Drive from Park State Drive to Lot #20.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for **sidewalks and drive approaches** shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for **mulch seeding and restoration** shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 8th day of February, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Michelle Nelson, Acting Clerk
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Park State East Addition Walks RES. NO.: 7077-06

DATE: 1/25/06

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	4130	SY	5.00	20650.00
2.	Concrete Sidewalk (4")	3560	SY	23.00	81880.00
3.	Concrete Pavement For Residential Drives (6")	500	SY	27.00	13500.00
4.	Concrete Wingwalk And Curb Ramps	70	SY	42.00	2940.00
5.	Bed Coarse Material	440	TON	15.00	6600.00
6.	Water Valves Adjusted To Grade	1	EA	40.00	40.00
7.	Adjust Casting To Grade	8	EA	150.00	1200.00
8.	Tree Removal	10	EA	750.00	7500.00
9.	New Sugar Maple (2 1/2" DIA.)	9	EA	125.00	1125.00
10.	Tree Root Grinding	50	EA	40.00	2000.00
11.	Fertilize Trees	66	EA	50.00	3300.00
12.	Top Soil	330	TON	15.00	4950.00
13.	Mulched Seeding	950	SY	2.00	1900.00
14.	Construction Signs Type "A"	6	EA	75.00	450.00
15.	Mobilization and Demobilization	1	LS	7401.75	7401.75
16.	Maintenance of Traffic	1	LS	5921.40	5921.40

SUB-TOTAL: 161358.15
E&I @16% 25817.30

TOTAL: **$187,175.45**

Revised: 02-13-04

GLENWOOD PARK PHASE II –
WATER MAIN REPLACEMENT
RESOLUTION NO. 1773-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 13,090 LF of 6-inch water main, 802 LF of 8-inch water main, 23 fire hydrants, 32 valves, 229 services, and all other appurtenances and work as necessary for the water main replacement project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "GLENWOOD PARK PHASE II – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $1,060,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 8th DAY OF February, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: _____
Ryan Chasey, Member

ATTEST: Michelle Nelson, Acting Clerk
Marilyn Huth, Clerk

EMERGENCY RESOLUTION NO. 1837-2006
AERATION BLOWER NUMBER 8 CONTROLS PROJECT

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

WHEREAS, the Fort Wayne Water Pollution Control Plant Aeration tanks and Biological treatment process depends on the reliable and variable supply of air, and

WHEREAS, Blower number 8 was installed in 1982 and its associated controls are causing operational problems, and

WHEREAS, Blower number 8 is needed as a redundant blower and a blower to meet peak air demands in the summer, and

WHEREAS, preliminary engineering investigation has determined that the original equipment and replacement parts are the most cost effective way to replace controls, and

WHEREAS, there are no feasible compatible equipment controls available, and

WHEREAS, Indiana code 5-22-10-8 allows city purchasing to "make a special purchase when:

1. The compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase; and
2. only one (1) source meets the using agency's reasonable requirements", and

NOW THEREFORE, The Board of Public Works hereby orders the City's Purchasing Department to issue an EMERGENCY PURCHASE ORDER to Dresser Roots in the amount of $115,000.

APPROVED THIS 15th DAY OF February, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P Chasey, Member

ATTEST: Michelle Nelson, Acting Clerk
Marilyn Huth, Clerk

DRESSER
Roots

BUDGET PROPOSAL

DRESSER ROOTS

900 W. MOUNT ST., CONNERSVILLE, IN 47331, 765/827-9200

ISO 9001 CERTIFIED ROOTS QUALITY SYSTEM

Proposal No. JDF020906
Date: February 9, 2006

City of Fort Wayne
Water Pollution Control Plant
2601 Dwenger Avenue
Fort Wayne, Indiana 46802

Attention:
Andrew Shipper
Ph: 260-427-2708
Fax: 260-427-1353
Email: Jim.andrew.schipper@ci.ft-wayne.in.us

Description:
ROOTS Model H-30 Single Stage Centrifugal Compressor
ROOTS Serial No. H-3162
Blowers #8

Prepared By:
Jeffrey D. Faber
Aftermarket Sales
Ph: 765-827-9351
Fax: 765-827-9296
Email: Jeff.Faber@dresser.com

Copy to:
Ron Kelly - National Sales Manager
Dennis Hayes – Centrifugal Products Sales Manager
John Stout – Aftermarket Sales Manager
Ken Gittinger – The Crocker Company
Dan Richardson – Applications Engineer

DRESSER
Roots

ROOTS of Dresser, Inc. is pleased to provide the following proposal for the above-referenced equipment, per the following scope of supply. This proposal is based on Seller's Terms of Sale, GTS-5001 and Buyer's acceptance of said terms. If you have any questions concerning the proposal, please do not hesitate to call.

Attachments:	General Terms of Sale:	GTS-5001
	Cancellation Policy:	CP-5004
	Schedule of Field Service Rates:	TS-5000-1
	General Terms of Sale:	TS-5000-2

Scope of Supply Description:

Replacement free standing control panel which includes:

Nema 12 - Free standing control panel
Modicon Quantum Programmable Controller System w/ color graphics on touch screen.
Standard 120 VAC
Passive surge protection & process control.
Digital readout on touch screen readout OIT
Emergency stop button & alarm light w/ horn.
Documented PLC software (electronic & hardcopy format)
Modbus communication to DCS
New Ashcroft pressure transmitters as required
Replacement of RTD's as required.
New inlet guide vane actuator w/ mounting bracket

Installation by Roots w/ comments:

New RTD wire.
Roots-Dresser, Inc. is an equipment manufacturer (not a contractor) .
Full access to and from facility as required.
Full access to facilities overhead crane and utilities will be required.
Assistance in positioning of all tooling and material to required work area.
Items not specifically mentioned are not to be concluded or assumed to be Roots scope of supply.
Roots will perform all work in a courteous and professional manner at all times.
Good housekeeping will be performed on a daily basis.

Not Included:

Factory witness test.
Licensed software.
Baseplate mounted switch & gauge panel.
Motor starter.
Repair or replacement of any existing equipment.
Disposal of replaced material

Commercial Terms:

Price - Free Standing Panel U. S. Dollars:	$ 84,700.00 — Equipment cost
Delivery:	20 weeks after receipt of order
(Pending prior sale)	6 weeks drawings 14 weeks fabrication after drawing approval
Shipping Terms:	FCA – Suppliers designated point Freight collect
Payment:	Invoice at time of shipment
Terms:	Net 30

Price - Installation including new RTD wire:	$ 20,300.00 (Limited to 10 on site days) — Installation cost
Payment:	Invoice at time of completion.
Terms:	Net 30

Proposal Valid 90 Days

$10,000 — Work Allowance To be used at Owner's Discretion

$ 115,000 — Total Purchase order Amount

OK
Mark Yurdin
2-13-06

Water Pollution Control Plant
Blower #8
Aeration for aerobic process
Emergency Project

DRESSER
Roots

GENERAL TERMS OF SALE

1. GENERAL

A. Seller's prices are based on these sales terms, and (i) this document together with any additional writings signed by Seller shall represent the final, complete and exclusive statement of the agreement between the parties and may not be modified, supplemented, explained or waived by parol evidence, Buyer's purchase order, a course of dealing, Seller's performance or delivery, or in any other way except in writing signed by an authorized representative of Seller, and (ii) these terms are intended to cover all activity of Seller and Buyer hereunder, including sales and use of products, parts and work and all related matters (references to products include parts and references to work include construction, installation and start-up). Any reference by Seller to Buyer's specification and similar requirements are only to describe the products and work covered herby and no warranties or other terms therein shall have any force or effect. Catalogs, circulars and similar pamphlets of the Seller are issued for general information purposes only and shall not be deemed to modify the provisions hereof.

B. The agreement formed hereby and the language herein shall be subject to the laws in effect on the date hereof of the state in which any order resulting from this Proposal is accepted.

2. TAXES

Any sales, use or other similar type taxes imposed on this sale or on this transaction are not included in the price. Such taxes shall be billed separately to the Buyer. Seller will accept a valid exemption certificate from the Buyer if applicable; however, if an exemption certificate previously accepted is not recognized by the governmental taxing authority involved, and the Seller is required to pay the tax covered by such exemption certificate, Buyer agrees to promptly reimburse Seller for the Taxes paid.

3. CONTRACT PERFORMANCE, INSPECTION AND ACCEPTANCE

A. Unless Seller specifically assumes installation, construction or start-up responsibility, all products shall be finally inspected and accepted within thirty (30) days after receipt at point of delivery. Products not covered by the foregoing and all work shall be finally inspected and accepted within thirty (30) days after completion of the applicable work by Seller. All claims whatsoever by Buyer (including claims for storage) excepting only those provided for under the WARRANTY and PATENTS Clauses hereof must be asserted in writing by Buyer within said thirty (30) day period or they are waived. If this contract involves partial performance, all such claims must be asserted within said thirty (30) day period for each partial performance. There shall be no revocation of acceptance. Rejection may be only for defects substantially impairing the value of products or work and Buyer's remedy for lesser defects shall be those provided for under the WARRANTY Clause.

B. Shipping dates are approximate and are based upon prompt receipt of all necessary information. Seller shall not be responsible for nonperformance or delays in performance occasioned by any causes beyond Seller's reasonable control, including, but not limited to, labor difficulties, delays of vendors or carriers, fires, governmental actions and material shortages. Any so occasioned shall effect a corresponding extension of Seller's performance dates which are, in any event, understood to be approximately. In no event shall Buyer be entitled to incidental or consequential damages for late performance or a failure to perform.

4. RISK OF LOSS

Full risk of loss (including transportation delays and losses) shall pass to the Buyer upon delivery of products to the f.o.b. point or if Seller consents to a delay in shipment beyond the contract date at the request of the Buyer, upon notification by the Seller that the products are manufactured.

5. TITLE

The title to and property in all apparatus sold hereunder and any substitutions or additions thereto and the right to possession thereof whether attached to realty or otherwise shall not pass from the Seller until all payments as herein set forth have been fully made by the Buyer in cash. Upon failure to make any payment as herein provided, the whole purchase money and any note or security given on account thereof shall forthwith become due and payable and the Seller may immediately enter the premises where the said apparatus is located and take possession of and remove the same as its personal property and may retain any or all partial payments already received a rental charge for the use of the said apparatus and material without affecting any further or other claims which it may have against the Buyer. The Buyer agrees to do all acts necessary to perfect and maintain such right and title in the Seller.

6. WARRANTY

A. Seller warrants that its products and parts when shipped and its work (including installation, construction and start-up) when performed will meet all applicable specifications and other specific product and work requirements (including those of performance). If any, of this agreement, will be of good quality and will be free from defects in material and workmanship. All claims for defective products or parts under this warranty must be made in writing immediately upon discovery and, in any event, within one (1) year from start-up or eighteen (18) months from shipment of the applicable item, whichever occurs first. Defective items must be held for Seller's inspection and returned to the original f.o.b. point upon request. THE FOREGOING IS EXPRESSLY IN LIEU OF ALL OTHER WARRANTIES WHATSOEVER, EXPRESS, IMPLIED AND STATUTORY, INCLUDING WITHOUT LIMITATION, THE IMPLIED WARRRANTIES OF MERCHANTBLITY AND FITNESS.

B. Upon Buyer's submission of a claim as provided above and its substantiation, Seller shall at its option either (i) repair or replace its product, part or work at the original f.o.b. point of delivery, or (ii) refund an equitable portion of the purchase price.

C. The warranty specified herein shall apply to this contract, but it is specifically understood that products sold hereunder are not warranted for operation with erosive or corrosive fluids or those which may tend to buildup within the product quoted. No product or part shall be deemed to be defective by reason of failure to resist erosive or corrosive action of any fluid and Buyer shall have no claim whatsoever against Seller therefore nor for problems resulting from buildup of material within the unit.

D. The foregoing is Seller's only obligation and Buyer's exclusive remedy for breach of warranty, and except for gross negligence, willful misconduct and remedies permitted under THE CONTRACT PERFORMANCE, INSPECTION AND ACCEPTANCE and the PATENTS Clause hereof, the foregoing is Buyer's exclusive remedy hereunder by way of breach of contract, tort or otherwise. In no event shall Buyer be entitled to incidental or consequential damages. Any action for breach of this agreement must commence within two (2) years after the cause of action has accrued.

7. PATENTS

Seller agrees to assume the defense of any suit for infringement of any United States patents brought against Buyer to the extent such suit charges infringement of an apparatus or product claim by Seller's product in and of itself, provided (i) said product is built entirely to Seller's design, (ii) Buyer notifies Seller in writing of the filing of such suit within ten (10) days after the service of process thereof, and (iii) Seller is given complete control of the defense of such suit, including the right to defend, settle and make changes in the product for the purpose of avoiding infringement. Seller assumes no responsibility for charges of infringement of any process or method claims, unless infringement of such claims is the result of following specific instructions furnished by Seller.

8. TERMS OF PAYMENT

A. Unless other terms are specified, all payments shall be in U.S. dollars. All shipments, unless otherwise specified, shall be EX WORKS manufacturer's plant per latest INCO terms. Loading of the equipment onto any collecting vehicle is included; however, this is not to be considered as part of the shipping terms required for payment. If delivery is delayed by Buyer, date of readiness for delivery shall be deemed date of delivery for payment purposes. If manufacture is delayed by Buyer, a payment shall be due based upon purchase price and percentage of completion. Balance shall be payable in accordance with terms stated herein.

B. For contracts totaling less than $100,000 U.S. dollars, all payment shall become due thirty (30) days after shipment.

C. For contracts totaling $100,000 U.S. dollars and greater, special progress payments, as offered by Seller, shall apply. In cases where special terms are not proposed, final payment shall become due thirty (30) days after shipment.

(1) In the event any equipment is ready for shipment prior to the scheduled date, any payment not due in accordance with the above terms shall immediately become due and payable upon notification by Seller to buyer that the equipment is ready for shipment.

(2) If shipments are delayed by Buyer for any cause whatsoever or are delayed by Seller for any cause whatsoever beyond Seller's control, payments shall become due and payable from the date of notification by Seller and the equipment is ready for shipment.

D. Seller may, at its option, upon Buyer's default in payment hereunder, charge Buyer with any cost incurred by seller incidental to its collection efforts including without limitation, reasonable attorney's fees and court costs.

E. A service fee equal to 2% percent per month shall be charged on all amounts not received by the specified due date in order to recover costs and damages incurred as a result of the delay in payment.

9. LIMITATION OF LIABILITY

In no event shall Seller be liable for special, indirect or consequential damages whether for breach of contract, breach of warranty, tort or otherwise. The Seller's liability on any other claim for loss or liability arising out of or connected with this contract, or the manufacture, sale, delivery, resale, or use of any apparatus covered by this contract (including but not limited to loss of liability arising from breach of contract), shall in no case exceed the unit price of such apparatus or part thereof involved in the claim, except as provided in the paragraph entitled "Patents".

10. US EXPORT CONTROL COMPLIANCE

Buyer shall comply with all applicable export control and trade embargo laws, rules and regulations, including but not limited to the U. S. Export Administration Regulations, and shall not resell, export, re-export, distribute, transfer or dispose of the ROOTS™ products, directly or indirectly, without first obtaining all necessary written consents, permits and authorizations and completing such formalities as may be required by any such laws, rules and regulations. Failure by Buyer to comply with such laws, rules and regulations shall constitute a material breach of this Agreement. ROOTS' assumes no responsibility or liability for Buyer's failure to obtain required authorizations. Buyer agrees to impose this same compliance requirement in its contracts with third parties pertaining to the ROOTS™ products.

DRESSER
Roots

DRESSER ROOTS – DRESSER, INC.
SCHEDULE OF FIELD SERVICE RATES

A. The following rates apply for service in North America:

DAYS	FIELD SERVICE TECHNICIAN	ROOTS MECHANICS	ENGINEERING PERSONNEL
Monday thru Friday (except holidays)	First 8 Hours $960 Over 8 Hours $180/Hour	All Hours $90/Hour	First 8 Hours $1400 Over 8 Hours $260/Hour
Saturday, Sunday, and locally recognized holidays	All Hours $180/Hour	All Hours $90/Hour	All Hours $260/Hour

B. The following rates apply for service outside North America:

DAYS	FIELD SERVICE TECHNICIAN	ENGINEERING PERSONNEL
Monday thru Friday (except holidays)	First 8 Hours $1200 Over 8 Hours $225/Hour	First 8 Hours $1600 Over 8 Hours $300/Hour
Saturday, Sunday, and locally recognized holidays.	All Hours $225/Hour	All Hours $300/Hour

C. The following standards shall apply:

1. The minimum time off for a person during any 24-hour period must be eight (8) consecutive hours.
2. Travel time, Monday through Saturday, will be invoiced at the specified base rates, up to a maximum of eight (8) hours each day of travel. Travel time on Sundays and holidays will be at the specified overtime rate.
3. Time spent on standby at the job site or locally on call shall be regarded as time actually worked, even though the services are not actually utilized, and will be charge at the 8-hour daily rate.
4. Rates apply from date of departure home base to date of return home base.
5. Service personnel assignments will not exceed 60 continuous days. Rotation of Service personnel will be at Buyer's expense.
6. Air travel on overseas flight will be business class.
7. Payments shall be in U.S. funds unless otherwise agreed.

D. Expenses

1. Meals, lodging, and incidental expenses will be invoiced at cost. Receipts will not be provided for meals unless the expense exceeds $35.00 per day.
2. Transportation to and from the city nearest the jobsite, plus local transportation will be charged at cost. The mileage allowance for personal car use will be 40.5¢ per mile.
3. Outside incidental services will be priced at cost plus 10%.

E. Terms and Conditions

The sale of services by ROOTS is subject to ROOTS' **General Terms of Sale - Technical Services (TS-5000-2)** and if such terms differ in any way from Buyer's order, or if such terms are construed as an acceptance or confirmation acting as an acceptance, then ROOTS' acceptance is expressly made conditional on Buyer's assent to any terms or conditions contained in ROOTS' terms that are different from or additional to those contained in Buyer's writing. Further, this quote shall be deemed notice of objection to such terms and conditions of Buyer. If this quote is construed as the offer, acceptance of same is expressly limited to the terms and conditions contained herein. In any event, Buyer's order of the services shall constitute and manifest Buyer's assent to ROOTS' **General Terms of Sale - Technical Services (TS-5000-2)**.

PLANT 2 FALK DRIVES REHABILITATION PROJECT
RESOLUTION NO. 1833-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This work is generally described as general construction and mechanical work to rehabilitate existing mechanical drive units originally installed in the 1950's to like new condition.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, PLANT 2 FALK DRIVE REHABILITATION PROJECT

Declares the cost of the said improvements shall be paid by the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is 75,000.

NOW THEREFORE, The Board of Public Works hereby orders the Purchasing Department to issues a purchase order to the lowest responsive quoting contractor.

APPROVED THIS 15th DAY OF February, 2006.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan P Chasey, Member

ATTEST: Michelle Nelson Acting Clerk
Marilyn Huth, Clerk

ROYAL OAKS CENTRAL
STORMWATER SYSTEM IMPROVEMENTS
RESOLUTION NO. 675-2003

RESOLUTION by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

Orders the construction of approximately 12,180 lineal feet of 10-inch to 48-inch diameter storm sewer and culvert pipe; 2,386 lineal feet of 6-inch diameter perforated subsurface drainage pipe; 16,614 lineal feet of right-of-way swale reconstruction; and appurtenant manhole and inlet structures so as to improve stormwater drainage and alleviate standing water and flooding through parts of the Royal Oaks, Royal Oak Park, and Woodway Park Additions.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications prepared by Paul I. Cripe titled "ROYAL OAKS STORMWATER IMPROVEMENTS-CENTRAL".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the "ROYAL OAKS CENTRAL STORMWATER SYSTEM IMPROVEMENTS" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "ROYAL OAKS CENTRAL STORMWATER SYSTEM IMPROVEMENTS" project is of public utility and benefit.

Declares the "ROYAL OAKS CENTRAL STORMWATER SYSTEM IMPROVEMENTS" project does not require the acquisition of property rights (permanent and temporary sewer and drainage easements).

Declares the engineer's estimate of "ROYAL OAKS CENTRAL STORMWATER

ROYAL OAKS CENTRAL
STORMWATER SYSTEM IMPROVEMENTS
RESOLUTION NO. 675-2003

RESOLUTION by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

Orders the construction of approximately 12,180 lineal feet of 10-inch to 48-inch diameter storm sewer and culvert pipe; 2,386 lineal feet of 6-inch diameter perforated subsurface drainage pipe; 16,614 lineal feet of right-of-way swale reconstruction; and appurtenant manhole and inlet structures so as to improve stormwater drainage and alleviate standing water and flooding through parts of the Royal Oaks, Royal Oak Park, and Woodway Park Additions.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications prepared by Paul I. Cripe titled "ROYAL OAKS STORMWATER IMPROVEMENTS-CENTRAL".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the "ROYAL OAKS CENTRAL STORMWATER SYSTEM IMPROVEMENTS" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "ROYAL OAKS CENTRAL STORMWATER SYSTEM IMPROVEMENTS" project is of public utility and benefit.

Declares the "ROYAL OAKS CENTRAL STORMWATER SYSTEM IMPROVEMENTS" project does not require the acquisition of property rights (permanent and temporary sewer and drainage easements).

Declares the engineer's estimate of "ROYAL OAKS CENTRAL STORMWATER SYSTEM IMPROVEMENTS" project's total cost is $1,820,100.

Declares the "ROYAL OAKS CENTRAL STORMWATER SYSTEM IMPROVEMENTS" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 15th **DAY OF** February, **2006**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Greg Meszaros, Chairman

BY: _____
John Suarez, Member

BY: _____
Regina A. Kostoff, Member

STREET LIGHT RESOLUTION

NUMBER 302-06

ABOITE ANNEXATION 2006

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install ornamental street lights at intersections in KEKIONGA SHORES ADDITION, WESTLAWN ADDITION, and COVINGTON DELLS ADDITION; all in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded by 2006 CEDIT Funds and cost sharing from WESTLAWN & COVINGTON DELLS associations. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Ryan P. Chasey – Member

ATTEST:

Marilyn Huth – Clerk

Dated this 1st day of March, 2006

STREET LIGHT RESOLUTION

NUMBER 303-06

(B.L. #50049R)

FOREST PARK BOULEVARD STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, having been petitioned by certain property owners of Forest Park Boulevard hereby deems it necessary to install an updated ornamental street light system on Forest Park Boulevard, more specifically defined as: starting at the north right-of-way of Lake Avenue in a northern direction to the south right-of-way of Dodge Avenue; all in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded by 2006 1st, 2nd & 3rd Council District CEDIT Funds and the real estate abutting on said improvements. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Ryan P. Chasey – Member

ATTEST:

Marilyn Huth – Clerk

Dated this 1st day of March, 2006

IMPROVEMENT RESOLUTION NO. 7032-05

GLENDALE DRIVE EXTENSION: JEFFERSON BOULEVARD TO NORTH BEND DRIVE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

GLENDALE DRIVE EXTENSION FROM JEFFERSON BOULEVARD TO NORTH BEND DRIVE; TO INCLUDE NEW ROADWAY WITH BITUMINOUS PAVEMENT, CURBS, STORM SEWERS AND DRAINAGE SWALES; DECELERATION/TURN LANES AND CENTER BARRIER CURB FOR JEFFERSON; CUL-DE-SAC AND LANDSCAPING FOR THE EAST END OF NORTH BEND DRIVE; SEEDING RESTORATION AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 1st day of March, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

PLANT 2 SECONDARY SETTLING TANK CONCRETE REPAIR PH 1 PROJECT

RESOLUTION NO. 1697-2004

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This work is generally described as general concrete construction in the plant 2 secondary settling tanks..

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, PLANT 2 SECONDARY SETTLING TANK IMPROVEMENTS

Declares the cost of the said improvements shall be paid by the funds the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the total cost for this first phase of the project is $120,000.

APPROVED THIS 1ST DAY OF March, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

A RESOLUTION declaring the intent to sell real estate owned by the City of Fort Wayne.

#93-3-1-06-1

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of following property:

N 100 of S 609.75 of E 100 of W 265FT SW1/4 SEC 1 0.23A

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use of this property, and that future use by the City is unlikely.

WHEREAS, As a condition of sale the Board of Public Works has determined that all costs associated with the sale shall be borne by the buyer including the cost of the appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to sell part of the above-named property, following all applicable state statutes.

Signed this 15th day of March, 2006.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan P. Chasey, Member

Attest By:

_____
Marilyn Huth, Clerk

****** REAL PROPERTY MASTER FILE CHANGE 2005 PAY 2006 ******

KEY NUMBER: 02-08-15-354-003.000-072 / 75-0015-5043
TAX CODE = 5

OWNER NAME/ADDRESS
FORT WAYNE CITY OF

1 E MAIN ST
FORT WAYNE, IN 46802 1804

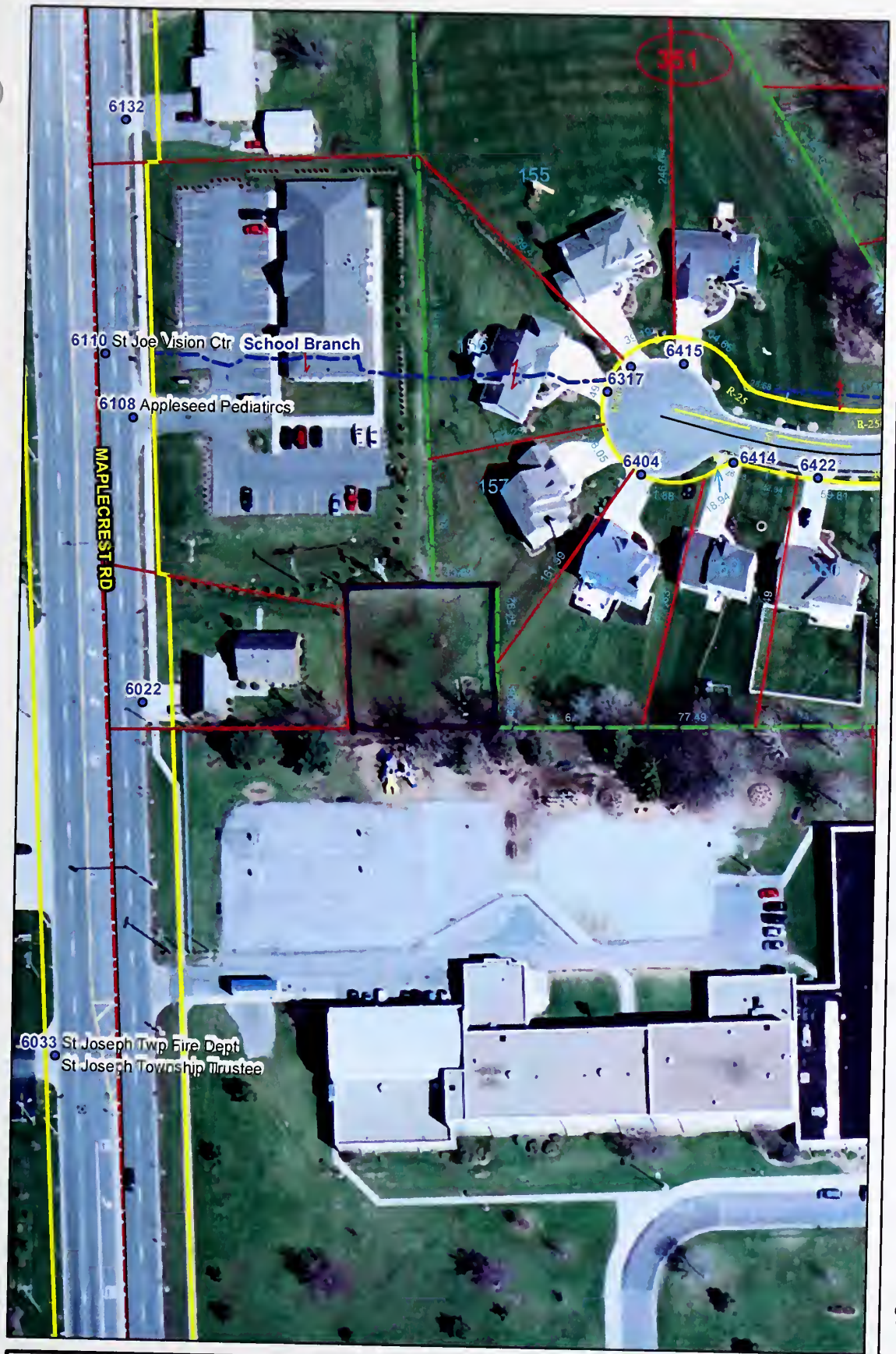
LEGAL DESCRIPTION
N 100 OF S 609.75 OF E 100
OF W 265FT SW1/4
SEC 15 0.23A

PROP ADD HOUSE #: 06022 DIR:
STREET : MAPLECREST RD (BEH)
ZIP CODE: 46835
DEED: REF#: 0P5340 TRNDAT: 09011981
ACTIVITY DATES: 09142005 10082004
R LAND: 000000000 HOMESTEAD YR = 0000
NR LAND: 000000000 HOME FLAG: N - 00000
TL LAND: 000000000 ACRES: 0.23
R IMPV: 000000000 USE CODE: 640
NR IMPV: 000000000
TL IMPV: 000000000

DRAIN INFORMATION

	NUMBER	ACRES	AMOUNT
01	0809310	0.23	9.50
02	0000000	0.00	0.00
03	0000000	0.00	0.00
04	0000000	0.00	0.00
05	0000000	0.00	0.00
06	0000000	0.00	0.00
07	0000000	0.00	0.00
08	0000000	0.00	0.00

XMPT	CTL#	BK#	PG1	PG2
000000000	00000	0	0	0
000000000			0	
000000000	RECONSTRUCTION INFO			
000000000	00000000		0.00	
	00000000		0.00	



Legend

- Address Points
- County
- Interstate
- Municipal
- Private
- State
- US Highway
- Claim Line
- County Line
- Geog Twp Line
- Indian Line
- Lot Line
- Parcel Line
- Pol Corp Line
- Pol Twp Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- State Line
- Sub Line 100
- Sub Line 400
- Water Line

N
W E
S

0 50 100 Feet

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2003 / Contours 1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: March 1, 2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $4,998.70 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Business Furniture Outlet	PR #28	4,087.00
Robert E. Crosby	PR #28	911.70
Total for Payment Request #28		**$ 4,998.70**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

March 1, 2006
Date

NEBRASKA LIFT STATION ELECTRICAL IMPROVEMENTS
RESOLUTION NO. 1843-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **NEBRASKA LIFT STATION ELECTRICAL IMPROVEMENTS**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $50,000.00.

APPROVED THIS 1st DAY OF March, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

34

ADJUSTMENT OF AREA CONNECTION FEES AND WATER AVAILABILITY FEES FOR YEAR 2006 BASED ON CONSUMER PRICE INDEX

RESOLUTION NO. 93-3-1-06-2

WHEREAS, the following sanitary sewer service areas and associated area connection fees have been established by the Board of Public Works through various resolutions and were in effect on March 1, 2006;

Becketts Run	$2,305 per ERU
Hawthorn East	$2,350 per ERU
Hawtorn West	$2,700 per ERU
Junk Ditch	$555 per ERU
Neuhaus Interceptor A1	$1,037 per ERU
North Maumee A	$359 per ERU
North Maumee B	$1,950 per ERU
Notestine Corridor	$1,700 per ERU
Parkerdale	$735 per ERU
Rothman	$2,540 per ERU
Saint Joseph	$555 per ERU
Saint Mary's	$502 per ERU
Shed AB	$1,059 per ERU
Shed C	$1,313 per ERU
Southtown Area	$2,252 per ERU
Southwest	$708 per ERU
Spy Run	$555 per ERU
Tiernan B	$873 per ERU
Upper Becketts Run	$2,955 per ERU
Upper Saint Joseph	$1,200 per ERU
Upper Spy Run	$925 per ERU

And,

WHEREAS, the following water service areas and associated water availability fees have been established by the Board of Public Works through various resolutions and were in effect on March 1, 2006;

Thomas Road/Bass Road	$105 per ERU
Till Road Area	$500 per ERU
Wheelock Road Corridor Area	$106 per ERU

And,

WHEREAS, the resolutions establishing said sanitary sewer service areas and area connection fees and said water service areas and water availability fees provided for the adjustment of said fees to reflect inflationary increases based on the Consumer Price Index as published by the Department of Labor for the previous year; and

WHEREAS, per the Department of Labor the Consumer Price Index for All Urban Consumers for the Year 2005 is 3.4 percent;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS THAT:

1. The area connection fees for the sanitary sewer service areas identified below shall be set forth as follows from March 1, 2006 to February 28, 2007 based on the Consumer Price Index adjustment:

Becketts Run	$2,383 per ERU
Hawthorn East	$2,430 per ERU
Hawtorn West	$2,792 per ERU
Junk Ditch	$574 per ERU
Neuhaus Interceptor A1	$1,072 per ERU
North Maumee A	$371 per ERU
North Maumee B	$2,016 per ERU
Notestine Corridor	$1,758 per ERU
Parkerdale	$760 per ERU
Rothman	$2,626 per ERU
Saint Joseph	$574 per ERU
Saint Mary's	$519 per ERU
Shed AB	$1,095 per ERU
Shed C	$1,358 per ERU
Southtown Area	$2,329 per ERU
Southwest	$732 per ERU
Spy Run	$574 per ERU
Tiernan B	$903 per ERU
Upper Becketts Run	$3,055 per ERU
Upper Saint Joseph	$1,241 per ERU
Upper Spy Run	$956 per ERU

2. The water availability fees for the water service areas identified below shall be set forth as follows from March 1, 2006 to February 28, 2007 based on the Consumer Price Index adjustment:

Thomas Road/Bass Road	$109 per ERU
Till Road Area	$517 per ERU
Wheelock Road Corridor Area	$110 per ERU

PASED THIS 1st DAY OF March, 2006

BOARD OF PUBLIC WORKS

By: _____
Regina A. Kostoff, Chair

By: _____
John Suarez, Member

By: _____
Ryan P. Chasey, Member

ATTEST: _____
Marilyn Huth, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State personally appeared **Regina A. Kostoff, John Suarez, and Ryan P. Chasey,** all as Members of the Board of Public Works, and acknowledged the execution of the foregoing Resolution as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 15th day of March 2006.

Notary Public Michelle R. Hadley Michelle R. Hadley
Printed Name of Notary

Resident of _____ County

MICHELLE RENEE HADLEY
Notary Public, State of Indiana
County of Allen
My Commission Expires 11/26/2006

My Commission Expires:

Instrument Prepared by:
Nancy Townsend, City Utilities

A RESOLUTION approving the purchase of real estate
owned by the Department of Housing and Urban Development (HUD).
#93-3-8-06-1

WHEREAS, HUD has a property for sale located at 802 Wagner Street, Fort Wayne, Indiana, and more particularly described as:

Lot 24 Baltes and Romy Addition.

WHEREAS, HUD is asking $36,800.00 for the property which is lower than the appraised value of $46,000.00.

WHEREAS, The Board of Public Works has determined that it is in the best interest of the city of Fort Wayne to acquire the above named property at the price of $36,800.00 following all state statutes as a part of their long term plans for it's Water Filtration Plant.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby approves the purchase of the above named property at the price of $36,800.00.

Signed this 8th day of March, 2006.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Subscribed and sworn before me, the undersigned, a Notary Public, in and for said County and State, this 8th day of March, 2006.

Michelle R. Hadley
Notary Public

My Commission Expires:

I am a Resident of _____ County, Indiana

MICHELLE RENEE HADLEY
Notary Public, State of Indiana
County of Allen
My Commission Expires 11/26/2006

COVERDALE LIFT STATION ELECTRICAL IMPROVEMENTS

~~NEBRASKA LIFT STATION ELECTRICAL IMPROVEMENTS~~

RESOLUTION NO. 1848-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **COVERDALE LIFT STATION ELECTRICAL IMPROVEMENTS**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $63,000.00.

APPROVED THIS 8th DAY OF March, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

HIGHLAND PARK ADDITION –
WATER MAIN REPLACEMENT
RESOLUTION NO. 1799-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 7,890 LF of 6-inch water main, 1,028 LF of 8-inch water main, 13 fire hydrants, 26 valves, 155 services, and all other appurtenances and work as necessary for the water main replacement project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "HIGHLAND PARK ADDITION – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $810,000.00.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 8th DAY OF March, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

FILTRATION PLANT NORTH DOORS IMPROVEMENTS
1819-2005

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Replacement of existing doors, reinforcing of existing windows, and additions to the plant security system as prescribed in the specifications and drawings titled "Filtration Plant North Doors Improvements".

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Filtration Plant North Doors Improvements.

Declares the cost of the said improvements shall be paid by the funds the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $110,000.

APPROVED THIS 8th DAY OF March, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7078-06

TANBARK TRAILS ADDITION CONCRETE STREET REPAIRS
WORK ORDER NO. 11920

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: MARGOT WAY AND SQUIRES PLACE IN TANBARK TRAILS ADDITION BY PARTIAL RECONSTRUCTION OF CONCRETE PAVEMENT, CURBS, DRIVE APPROACHES, SIDEWALKS AND ADA RAMPS, REHABILITATION OF STORM DRAINAGE, AND MULCH SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 15th day of March, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: TANBARK TRAILS ADDITION
DATE: 3-10-06
BID DATE:

RES. NO.: 7078-06
W.O. NO.: 11920

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	269	SY	$6.00	$1,614.00
2	REMOVAL OF CONCRETE CURB	1400	LF	$7.50	$10,500.00
3	REMOVAL OF CONCRETE PAVEMENT	1264	SY	$7.00	$8,848.00
4	CEMENT CONCRETE PAVEMENT, PLAIN, 6 INCHES (7-BAG MIX W / SUPERPLASTICIZER)	1264	SY	$27.00	$34,128.00
5	ANCHOR BOLTS (J-TYPE)	280	EA	$7.00	$1,960.00
6	CONCRETE SIDEWALK (4")	29	SY	$24.00	$696.00
7	"SPECIAL" 4' CONCRETE CURB TYPE "I-B"	1400	LF	$18.00	$25,200.00
8	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE	210	SY	$25.00	$5,250.00
9	CONCRETE ADA CURBRAMP	30	SY	$40.00	$1,200.00
10	UNDERDRAIN, 6" PERFORATED PLASTIC, GROUP "K"	1020	LF	$8.00	$8,160.00
11	CASTING, TYPE "C" (ADJUST TO GRADE)	2	EA	$225.00	$450.00
12	TOPSOIL	50	TON	$15.00	$750.00
13	SEED , MULCH, & FERTILIZER	220	SY	$1.50	$330.00
14.	FERTILIZE TREE	5	EA	$30.00	$150.00
15.	BACKFILL BEHIND CURB	60	TON	$6.00	$360.00
16.	BED COURSE MATERIAL	36	TON	$10.00	$360.00
17.	COMPACTED AGGREGATE FOR BASE "O" NO. 53 STONE	126	TON	$14.00	$1,764.00
18.	TYPE III BARRICADES	4	EA	$55.00	$220.00
19.	CONSTRUCTION SIGNS TYPE "A"	4	EA	$60.00	$240.00
20.	MAINTENANCE OF TRAFFIC	1	LS	$4,000.00	$4,000.00
21	MOBILIZATION AND DE-MOBILIZATION	1	LS	$5,000.00	$5,000.00
22	PLASTIC DRUMS WITH FLASHERS	50	EA	16.00	$800.00

SUB-TOTAL: $111,980.00
E&I @25% $27,995.00

TOTAL: $139,975.00

Revised: 02-13-04

IMPROVEMENT RESOLUTION NO. 7079-06

ARLINGTON PARK - BLACKHAWK COMM. NEIGH. STREET REPAIRS
WORK ORDER NO. 11935

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: RAMSHIRE LANE BETWEEN ARLINGTON PARKWAY NORTH AND CUL-DE-SAC, AND TONAWANDA DRIVE BETWEEN STATE BLVD. AND PAWAWNA DRIVE WITH CONCRETE PAVEMENT SPOT REPAIR.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 15th day of March, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Arington Park - Blackhawk Comm. RES. NO.: 7079-06

DATE: 3/6/06

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal ofPavement	4150	SY	6.00	24900.00
2.	Removal of Concrete	30	SY	5.00	150.00
3.	Removal of Curb Type II-A	170	LF	5.00	850.00
4.	Cement Concrete pavement,Plain 6" Incl."type I-A curb"	4150	SY	24.00	99600.00
5.	Concrete Sidewalk (4")	15	SY	25.00	375.00
6.	Concrete Wingwalk And Curb Ramps	15	SY	45.00	675.00
7.	Concrete Curb Type II-A	170	LF	6.00	1020.00
8.	Compacted aggregate for base "O" - #53	650	TON	15.00	9750.00
9.	Backfill For Behind Curb	180	TON	12.00	2160.00
10.	Top Soil	100	TON	15.00	1500.00
11.	Mulched Seeding	1100	SY	2.00	2200.00
12.	Casting Adjust To Grade	2	EA	150.00	300.00
13.	Furnished & Adjusted To Grade Casting Type C	4	EA	400.00	1600.00
14.	Construction Sign Type "A"	10	EA	60.00	600.00
15.	Standard Barricade, Type III	10	EA	100.00	1000.00
16.	Mobilization and Demobilization	1	LS	7334.00	7334.00
17.	Maintenance of Traffic	1	LS	6160.56	6160.56

SUB-TOTAL: 160174.56
E&I @16% 25627.93

TOTAL: $185,802.49

GOSHEN AVE. UNDERPASS
STORMWATER SYSTEM IMPROVEMENTS
RESOLUTION NO. 1807-2006

RESOLUTION by the Board of Storm water Management of the City of Fort Wayne, Indiana, that:

Orders the construction of approximately 450 LF of 12-inch to 16-inch storm sewer pipe with all appurtenant inlet structures, associated with the drainage improvement of the Goshen Ave. Railroad Underpass, south of Independence Drive.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "GOSHEN AVE. UNDERPASS STORMWATER SYSTEM IMPROVEMENT".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the "GOSHEN AVE. UNDERPASS STORMWATER SYSTEM IMPROVEMENT" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "GOSHEN AVE. UNDERPASS STORMWATER SYSTEM IMPROVEMENT" project is of public utility and benefit.

Declares the "GOSHEN AVE. UNDERPASS STORMWATER SYSTEM IMPROVEMENT" project does not require the acquisition of property rights.

Declares the engineer's estimate of "GOSHEN AVE. UNDERPASS STORMWATER SYSTEM IMPROVEMENT" project's total cost is $125,000.

Declares the "GOSHEN AVE. UNDERPASS STORMWATER SYSTEM IMPROVEMENT" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 15th **DAY OF** March **, 2006**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Greg Meszaros, Chairman

BY: _____
John Suarez, Member

BY: _____
Regina A. Kostoff, Member

Attest: Marilyn Hoth, Clerk

A RESOLUTION approving the sale of
real estate owned by the City of
Fort Wayne.

Resolution #93-3-15-06-1

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of property more particularly described as:

See Exhibit A.

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to sell the above-named property, following all applicable state statutes.

Signed this 15th day of March, 2006.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Subscribed and sworn before me, the undersigned, a Notary Public, in and for said County and State, this 15th day of March, 2006.

Michelle R. Hadley
Notary Public

My Commission Expires:

I am a Resident of Allen County, Indiana

MICHELLE RENEE HADLEY
Notary Public, State of Indiana
County of Allen
My Commission Expires 11/26/2006

Tract 1
Legal Description
0.187 Acres

Part of the Northeast Quarter of Section 30, Township 30 North, Range 13 East of the Second Principal Meridian, Adams Township in Allen County, Indiana, more particularly described as follows:

Beginning at a point marking at the Southeast corner of Lot #14 in Oakland Park Addition an addition to the City of Fort Wayne, Indiana, said point being referenced by a ½" steel rebar found 0.12 feet North; thence South 04 degrees 46 minutes 00 seconds West (assumed bearing a basis of bearings to follow), a distance of 164.08 feet to a 5/8" steel rebar set; thence South 00 degrees 25 minutes 23 seconds West, a distance of 70.00 feet to a 5/8" steel rebar set; thence South 84 degrees 28 minutes 32 seconds West, a distance of 28.32 feet to a 5/8" steel rebar at the Southeast corner of an existing 2.770 acre tract described in Document Number 8200560 in the Office of the Recorder of Allen County, Indiana; thence North 00 degrees 42 minutes 31 seconds West, a distance of 235.00 feet (deed) along the East line of said 2.770 acre tract to the South line of said Lot #14; thence North 88 degrees 24 minutes 23 seconds East, a distance of 45.28 feet along said South line to the Point of Beginning. Containing 0.187 Acres, more or less. Subject to easements of record.

EXHIBIT A

OFFER TO PURCHASE REAL ESTATE

To: City of Fort Wayne Redevelopment Commission, Owners,
Date: November 4, 2005

I/We East Coy of School Witnesses hereby offer to purchase for the sum of $150.00. In accordance with Paragraphs below, the real estate in Allen County, Indiana commonly known as 6001 Radcliffe Dr. the legal description of which is Part of FRL W 676.17' of E 3036.66' of S 1873.07' N ½ EX W 481.39' of N 235' S 30, Adams Township, Allen County, Indiana (exact legal description to be determined by a mete's and bounds survey).

1) **PURCHASE PRICE**
A) CASH The entire purchase price shall be paid in cash, cashiers check or money order.

2) **CLOSING.** Within forty-five (45) business days of payment of the Purchase Price, Seller shall deliver a properly executed Quit Claim Deed, conveying the real estate, improvements, and fixtures in substantially their present condition, usual wear and tear excepted, and if Seller is unable to do so, Buyer shall have the option to revoke this Agreement and have the Purchase Price returned, within 30 days from demand.

3) **POSSESSION** shall be after Quit Claim Deed is received by Buyer.

4) The Real Estate, its improvements, fixtures and utility systems, and any personal property included in this sale are being sold in "AS IS" condition, without warranty of any kind from Seller, either express or implied.

5) This Agreement is solely between Buyer and Seller. The Agent(s) shall not be liable for any existing or arising defects or deficiencies in the real estate, improvement, or equipment thereon.

6) Survey to be prepared by Buyer's surveyor at Buyer's cost. See Exhibit "A".

7) Title Insurance to be prepared by Buyer's Title Insurance Company at Buyer's cost.

8) Sale subject to approval of City of Fort Wayne Redevelopment Commission, if required.

Buyer: James T. Goss
JAMES T. GOSS

Buyer: _____

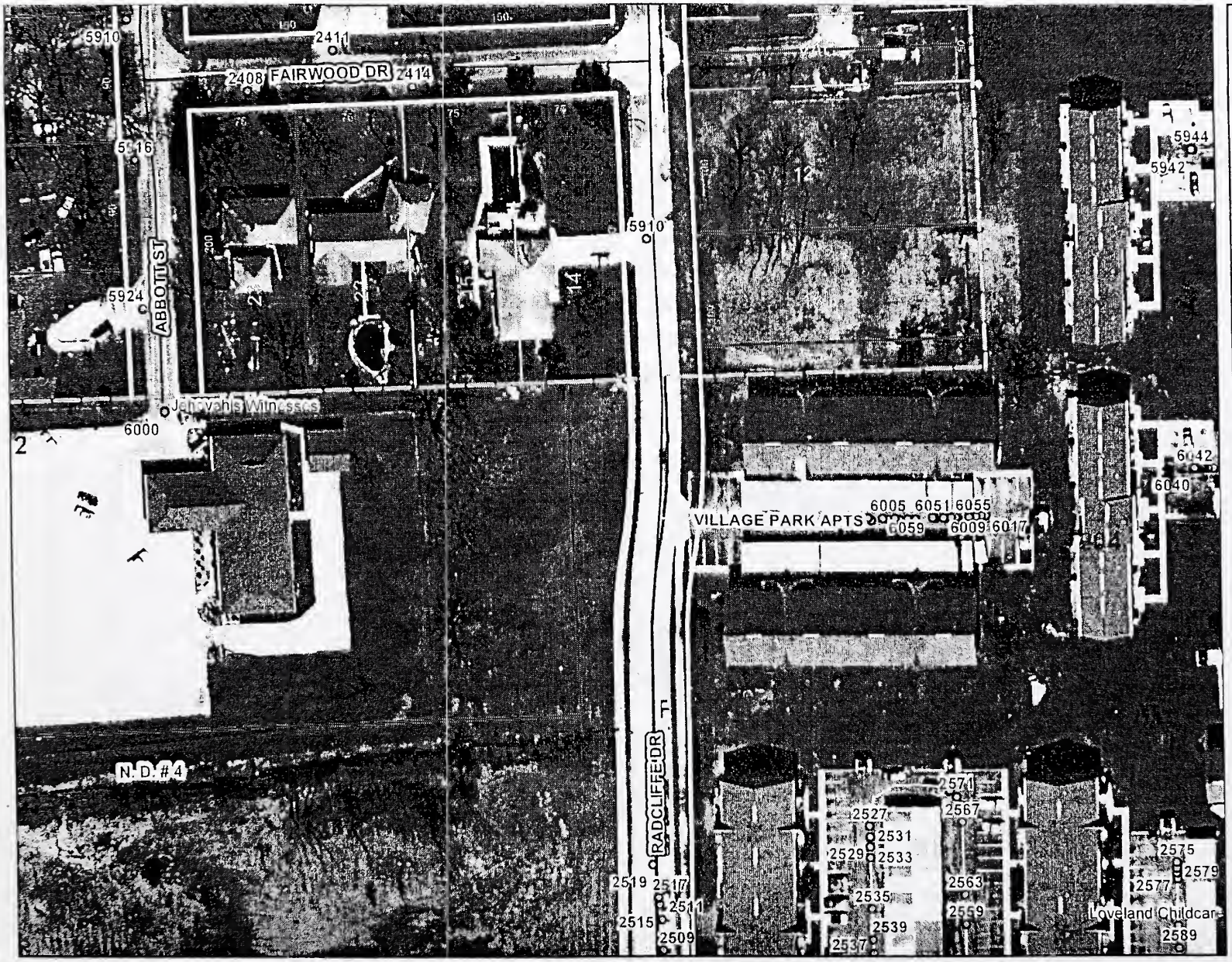
Address: 6000 Abbott St.

Phone: 260-447-5002

Payment of 0 received.

The undersigned Seller of the property described in this agreement hereby accepts said offer and agrees to abide by the terms and conditions thereof this 4 day of November 2005.

City of Fort Wayne
By: David A. Brenner



Legend

- Address Points
- County
- Interstate
- Municipal
- Private
- State
- US Highway
- Claim Line
- County Line
- Geog Twp Line
- Indian Line
- Lot Line
- Parcel Line
- Pol Corp Line
- Pol Twp Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- State Line
- Sub Line 100
- Sub Line 400
- Water Line

N
W E
S

0 50 100 Feet

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos, Spring 2003 / Contours 1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: March 17, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 158,010.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742 and Dechlorination Project – W.O. 75003.

Draw #18, #19 and #22	Donohue & Associates	$ 79,147.00
Draw #20 and #21	CH2M Hill	68,833.00
Draw #23	Ft. Wayne Municipal Sewage Works	10,030.00
Total SRF Payments		**$ 158,010.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

March 22, 2006
Date

9

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: March 16, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2002**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 3,240.00** to be paid from 2002 State Revolving Funds. This expense is for the WPCP Headworks project – W.O. 74595.

Draw #142	Donohue & Associates	$ 3,240.00
	Total SRF Payments	**$ 3,240.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

March 22, 2006
Date

BLOWER #8 - 5 kV CABLE REPLACEMENT PROJECT
RESOLUTION NO. 1849-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Whereas, the Water Pollution Control Plant operations require reliable electrical facilities, and

Whereas, buried electrical cables between the 5 kV Pad mounted Switchgear and blower No.8 building are deteriorated and in need of replacement, and

Whereas, the scope of this 4160 Volt electrical cable replacement project is beyond the capabilities of Water Pollution Control Plant O&M staff, and

Whereas, three competitive quotations from electrical contractors have been solicited, and

Whereas, the lowest quote is from Service Electric in the amount of $74,849.40,

Therefore, the BOW authorizes City Purchasing to issue a purchase order for this project.

Declares the cost of the said improvements shall be paid by the funds from Fort Wayne Sewer Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $80,000.

APPROVED THIS 22nd DAY OF March, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7080-06

KIRKWOOD PK - NORTHSIDE NEIGH CONCRETE STREET REPAIRS
WORK ORDER NO. 11915

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **Vance Ave. from Woodrow to Addison and Springfield Ave. from Kirkfield to Glenhurst by reconstructing the concrete street pavement, integral curbs, replacing affected drive approaches, and mulch seed restoration.**

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 22nd day of March, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: KIRKWOOD PARK
DATE: MARCH 15, 2006

RES. NO.: 7080-06
W.O. NO.: 11915

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	315	SY	$5.50	$1,732.50
2	REMOVAL OF CONCRETE PAVEMENT (INCLUDES I-A CURB)	4050	SY	$6.50	$26,325.00
3	CONCRETE SIDEWALK (4")	35	SY	$25.00	$875.00
4	CEMENT CONCRETE PAVEMENT (6"), 7-BAG MIX W/SUPERPLASTICIZER (INCLUDES TYPE I-A CURB)	4050	SY	$26.00	$105,300.00
5	ANCHOR BOLTS	445	EA	$8.00	$3,560.00
6	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE	260	SY	$30.00	$7,800.00
7	TREE FERTILIZATION	1	EA	$50.00	$50.00
8	CONCRETE WINGWALK AND ADA RAMPS	25	SY	$45.00	$1,125.00
9	TOP SOIL (2" AVERAGE DEPTH)	125	TON	$15.00	$1,875.00
10	MULCHED SEEDING RESTORATION	675	SY	$2.00	$1,350.00
11	BACKFILL BEHIND CURBS	190	TON	$8.00	$1,520.00
12	WATER VALVE BOX (ADJUSTED TO GRADE)	8	EA	$50.00	$400.00
13	ADJUST CASTING TO GRADE	6	EA	$150.00	$900.00
14	REMOVE AND REPLACE WITH CASTING TYPE "C"	5	EA	$375.00	$1,875.00
15	UNDERDRAIN, 6" PERFORATED PLASTIC, GROUP "K" (Includes No. 8 Stone)	420	LF	$8.00	$3,360.00
16	TYPE "O" COMPACTED AGGREGATE FOR BASE (No. 53 STONE)	465	TON	$12.50	$5,812.50
17	BARRICADE TYPE III	12	EA	$120.00	$1,440.00
18	CONSTRUCTION SIGN, TYPE "A"	9	EA	$75.00	$675.00
19	MOBILIZATION AND DE-MOBILIZATION	1	LS	$6,500.00	$6,500.00
20	MAINTENANCE OF TRAFFIC	1	LS	$6,000.00	$6,000.00
21	BED COURSE MATERIAL	45	TON	$13.50	$607.50
22	REMOVE AND REPLACE WITH CASTING TYPE "A"	2	EA	$375.00	$750.00

SUB-TOTAL:	$179,832.50
E&I @25%	$44,958.13
TOTAL:	$224,790.63

IMPROVEMENT RESOLUTION NO. 7081-06

MISCELLANEOUS CONSTRUCTION PACKAGE 5 - 2006
WORK ORDER NO. 11927

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: WILDWOOD AVENUE FROM BROADWAY TO THOMPSON AVENUE, AND WEST SIDE OF HANNA STREET BETWEEN RICHARDSVILLE TO 4218 S. HANNA STREET BY RECONSTRUCTING SIDEWALKS, CURBFACE WALK, DRIVE APPROACHES, DRAINAGE, CURB RAMPS AND SEEDING; WEST SIDE OF THE 3100 BLOCK S. LAFAYETTE STREET BY RECONSTRUCTING SIDEWALK, DRIVE APPROACHES AND SEEDING; AND 2215 FAIRFIELD AVEUNE TO REPAIR A FIRE ALARM VAULT.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 29th day of March, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Misc. Construction Pkg. 5-2006 (Hanna, Wildwood, Lafayette RES. NO.: 7081 - 06

BID DATE: APRIL 19, 2006

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL of HANDHOLE	1	EA	$600.00	$600.00
2.	REMOVAL of CURBS	1,265	LF	$5.00	$6,325.00
3.	REMOVAL of CONCRETE	1,237	SY	$6.25	$7,731.25
4.	REMOVAL of PAVEMENT	587	SY	$6.50	$3,815.50
5.	REMOVAL of BRICK PAVEMENT	8	LF	$15.00	$120.00
6.	BRICK PAVEMENT SAWING	32	LF	$7.00	$224.00
7.	COMMON EXCAVATION	45	CY	$10.50	$472.50
8.	SPECIAL CONCRETE CURB TYPE "II - A" (UNDISTRIBUTED)	100	LF	$10.00	$1,000.00
9.	CONCRETE CURB TYPE " III "	80	LF	$11.00	$880.00
10.	CONCRETE SIDEWALK	700	SY	$21.50	$15,050.00
11.	CONCRETE CURBFACE WALK	656	SY	$24.00	$15,744.00
12.	CONCRETE for RESIDENTIAL DRIVES (6")	504	SY	$26.00	$13,104.00
13.	CONCRETE for COMMERCIAL DRIVES (8")	100	SY	$28.00	$2,800.00
14.	CONCRETE WING WALKS and RAMPS	130	SY	$35.00	$4,550.00
15.	CONCRETE STEPS (rise) (UNDISTRIBUTED)	5	EA	$250.00	$1,250.00
16.	FLOWABLE MORTAR	1	LS	$475.00	$475.00
17	INLET TYPE II - A	2	EA	$900.00	$1,800.00
18	PIPE, PVC , 12 " (schedule 35) (include # 8 stone for bedding)	190	LF	$28.00	$5,320.00
19	PIPE, PVC , 4 " (schedule 35) (include # 8 stone for bedding)	72	LF	$15.00	$1,080.00
20	B - BORROW for STRUCTURE BACKFILL	172	TON	$10.50	$1,806.00
21	TRENCH DRAIN	11	LF	$11.00	$121.00
22	YARD DRAIN	1	EA	$350.00	$350.00
23	WATER VALVES FURNISHED & ADJUSTED to GRADE (CURB BOX)	8	EA	$225.00	$1,800.00
24	WATER VALVES (CURB BOX) ADJUSTED to GRADE	61	EA	$35.00	$2,135.00
25	CASTING ADJUSTED to GRADE	6	EA	$200.00	$1,200.00

ESTIMATE OF QUANTITIES

PROJECT: Misc. Construction Pkg. 5-2006 (Hanna, Wildwood, Lafayette RES. NO.: 7081 - 06

BID DATE: APRIL 19, 2006

ITEM).	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
26	CASTING TYPE " C " , FURNISHED & ADJUSTED to GRA	2	EA	$425.00	$850.00
27	TYPE " O " COMPACTED AGGREGATE for SURFACE No. 73 (for DRAVEWAYS)	10	TON	$15.00	$150.00
28	BED COURSE MATERIAL	575	TON	$11.00	$6,325.00
29	BACKFILL BEHIND CURBS and CURBFACE WALK	40	TON	$8.50	$340.00
30	TOP SOIL	95	TON	$15.00	$1,425.00
31	MULCHED SEEDING	1,196	SY	$1.25	$1,495.00
32	Tree Removal: (4" to 8") 6" size	1	EA	$75.00	$75.00
33	Tree Removal: (over 8" to 14") 12" size	2	EA	$200.00	$400.00
34	Tree Removal: (over 24" to 36") 30" size	1	EA	300.00	$300.00
35	PRUNE & FERTILIZE TREES	1	EA	125.00	$125.00
36	FERTILIZE TREES	5	EA	45.00	$225.00
37	CONSTRUCTION SIGNS, TYPE " A "	20	EA	80.00	$1,600.00
38	MAINTENANCE of TRAFFIC	1	LS	3,383.66	$3,383.66
39	MOBILIZATION and DEMOBLIZATION	1	LS	4,398.76	$4,398.76
				SUBTOTAL	$110,845.67
				E&I @16%	17,735.31
				TOTAL:	**$128,580.97**

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: March 29,2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $37,740.68 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Loggins Fireplace	PR #30	1,486.00
Verizon	PR #30	494.98
Environmental Safety Group	PR #30	10,850.00
Motorola	PR #30	22,636.00
Tinkel's	PR #30	231.70
GE	PR #30	1,322.00
ACS	PR #30	720.00
Total for Payment Request #30		**$ 37,740.68**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

March 29, 2006
Date

RESOLUTION NO. 93-4-5-06-1

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, REGARDING THE APPROVAL OF A FORM OF BOND ORDINANCE, RECOMMENDING ITS ADOPTION TO THE COMMON COUNCIL OF THE CITY AND AUTHORIZING THE REIMBURSEMENT OF CERTAIN EXPENSES FROM BONDS AND OTHER RELATED MATTERS

WHEREAS, the Board of Public Works (the "Board") of the City of Fort Wayne, Indiana (the "City"), desires to proceed with the design and/or acquisition, construction and installation of certain improvements to the waterworks system of the City, specifically: (i) to increase reliability and performance of our high speed finished water pumping by the installation of a new pump wet well to access more finished water, upgrading to more efficient pumps and construction of new pump and electrical buildings, (ii) to improve reliability and performance of our St Joe Dam pumping through the purchase and installation of an emergency power generator and new pumps, update the electrical configuration and construct a building to house these improvements, and (iii) several other waterworks projects including but not limited to: a) design of a second finished water reservoir, b) improvements to the lime removal equipment, piping and controls, c) improvements to the water filtering equipment, piping and controls, and d) various water main improvements including installation of a section of transmission main and replacements of the most problematic water mains throughout the City (collectively, the "Project"), which Project will benefit the City's waterworks; and

WHEREAS, the Board desires to recommend to the Common Council of the City (the "Common Council") that the Common Council approve of the issuance of waterworks revenue bonds in one (1) or more series in an aggregate principal amount not to exceed the

amount specified in the Bond Ordinance presented to the Board at this meeting (the "Bond Ordinance") in order to pay for the cost of the Project, such bonds to be on parity with outstanding waterworks revenue bonds issued by the City in 1997, 2002, 2003 and 2005; and

WHEREAS, a proposed form of the Bond Ordinance to finance the cost of the Project has been duly considered by the Board and found to be satisfactory; and

WHEREAS, the Board desires to recommend the adoption of the proposed Bond Ordinance to the Common Council; and

WHEREAS, the Common Council will consider issuing the City of Fort Wayne, Indiana, Waterworks Revenue Bonds of 2006 (the "Bonds") for the purpose of providing funds to pay for the cost of the Project; and

WHEREAS, certain preliminary costs in financing the Project, have been or will be incurred by or on behalf of the City prior to the issuance and delivery of the Bonds; and

WHEREAS, the City reasonably expects to reimburse such preliminary costs of the Project with proceeds of the Bonds; and

WHEREAS, the Board desires to declare the official intent of the City, pursuant to Indiana Code § 5-1-14-6(c) and § 1.150-2 of the Treasury Regulations promulgated by the Internal Revenue Service (the "Treasury Regulations"), that said preliminary costs be reimbursed from the proceeds of such Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, as follows:

1. The Board requests that the Common Council authorize the issuance of waterworks revenue bonds in an aggregate principal amount not to exceed the amount in the

Bond Ordinance on the terms and conditions set forth in the Bond Ordinance which Bond Ordinance is hereby approved in the form presented to this Board at this meeting.

2. The Board hereby approves and authorizes the filing of said Bond Ordinance with the City Clerk for presentation to the Common Council and directs the Clerk of the Board to present a copy of this Resolution to the City Clerk for presentation to the Common Council as soon as may be done.

3. The Board hereby declares the official intent of the City, pursuant to Indiana Code § 5-1-14-6(c) and § 1.150-2 of the Treasury Regulations, that preliminary costs incurred by or on behalf of the City in financing the construction of the Project be reimbursed from the proceeds of the Bonds.

4. This resolution shall be in full force and effect from and after its adoption by the Board.

* * * * *

ADOPTED at a meeting of the Board of Public Works of the City of Fort Wayne, Indiana, held on April 5th, 2006, at the City-County Building, Omni Room, Room 250, One Main Street, Fort Wayne, Indiana.

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

Regina A. Kostoff, Chair

Ryan P. Chasey, Member

John Suarez, Member

ATTEST:

Marilyn Huth, Clerk

RESOLUTION NO. 93-4-5-06-2

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA ACCEPTING THE TRANSFER OF REAL PROPERTY TO THE CITY OF FORT WAYNE, INDIANA

WHEREAS, the City of Fort Wayne Redevelopment Commission (the "Redevelopment Commission"), governing body of the City of Fort Wayne Department of Redevelopment, is owner of real property at Southtown Centre on which the City of Fort Wayne, Indiana (the "City") has an existing Safety Village and on which the proposed Public Safety Academy will be located; and

WHEREAS, the Redevelopment Commission desires to transfer said real property and certain adjoining land depicted as Tracts 1, 2 and 3 on Exhibit A hereto (the "Property"), to the City for ownership and maintenance in order that the City may continue to operate the Safety Village and may construct and operate the proposed Public Safety Academy, which uses of the Property constitute "public purposes" for the purposes of IC 36-7-14-22(a); and

WHEREAS, the transfer of the Property must be accomplished in a timely manner in order for the City to be prepared to manage the Property for purposes of issuance of bonds; and

WHEREAS, the Redevelopment Commission will prepare a survey, legal description, warranty deed and other documents required for the transfer of the Property and will comply with the requirements under IC 36-7-14 and other applicable regulations governing the transfer of real property between public agencies; and

WHEREAS, pursuant to IC 36-1-11-8, the Redevelopment Commission may exchange or transfer property with another governmental entity upon terms and conditions

exchange or transfer property with another governmental entity upon terms and conditions agreed upon by the two (2) entities as evidenced by the adoption of substantially identical resolutions of each entity; and

WHEREAS, the Redevelopment Commission, at its meeting of November 21, 2005, adopted a Resolution approving the transfer of the Property;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. That the transfer of the Property to the City is hereby accepted.

2. That the transfer of the Property is accepted for and in consideration of the City constructing and operating the Public Safety Academy.

3. That the transfer is to be accomplished as soon as practicable and in any event before issuance of the Public Safety Academy bonds.

4. That this Resolution shall be in full force and effect upon its adoption by the Board of Public Works for the City of Fort Wayne.

* * * * *

ADOPTED at a meeting of the Board of Public Works held on April 5, 2006.

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

Regina A. Kostoff, Chair

Ryan P. Chasey, Member

John Suarez, Member

ATTEST:

Marilyn Huth, Clerk

EXHIBIT A

SEE ATTACHED LEGAL DESCRIPTIONS

Safety Village Tract

A part of that 113.64 acre Southtown Development Tract as recorded in Document No. 205018101 in the Office of the Allen County Recorder as amended by a certain Surveyor's Affidavit of Correction as recorded in Document No. 205037333, situated in a part of the Northeast Quarter, Northwest Quarter and Southeast Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, in particular described as follows to-wit:

To arrive at the point of beginning commence at the Northwest corner of said Northeast Quarter said Section; thence South 89 degrees 37 minutes 00 seconds East (Basis of bearings assumed from DR 666 page 299 and Reference Survey by Carl A. Hofer May 18,1964 and Mid-States Engineering 1968 and Document No. 205018101) along the North line of said Northeast Quarter, a distance of 413.00 feet; thence South 00 degrees 23 minutes 00 seconds West, a distance of 25.00 feet to the Southwestern boundary of U.S. Routes 27 & 33; thence South 84 degrees 47 minutes 00 seconds East along said Southwestern boundary, a distance of 178.20 feet; thence South 53 degrees 40 minutes 00 seconds East along said Southwestern boundary, a distance of 2179.80 feet to a Northeasterly corner of that 113.64 acre tract aforesaid; thence South 21 degrees 20 minutes 00 seconds West along an Easterly line of said tract, a distance of 675.00 feet to a Southeasterly corner of said 113.64 acres and the point of beginning initially referred to; thence South 89 degrees 46 minutes 00 seconds West along a Southerly line of said tract, a distance of 981.76 feet to a Southerly corner of said 113.64 acre tract; thence South 52 degrees 17 minutes 16 seconds West along a Southerly line of said tract, a distance of 582.47 feet to a Southerly corner of said 113.64 acre tract; thence South 00 degrees 15 minutes 13 seconds West along a line of said tract, a distance of 350.00 feet to a Southerly corner of said 113.64 acre tract; thence North 89 degrees 53 minutes 33 seconds West along a Southerly line of said tract, a distance of 676.79 feet to the West line of said Southeast Quarter; thence North 00 degrees 00 minutes 11 seconds East along the line aforesaid, a distance of 42.29 feet to the Southeast corner of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of said Section 36; thence North 89 degrees 41 minutes 41 seconds West along the South line of said Southeast Quarter of the Southeast Quarter of the Northwest Quarter, a distance of 142.53 feet; thence North 00 degrees 18 minutes 19 seconds East, a distance 141.67 feet a Southerly line of the RING ROAD as described as PARCEL I in Document No. 205016501; thence Easterly along said road on a non tangent circular curve to the left having a radius of 320.00 feet, an arc distance of 93.15 feet, the chord of which bears North 85 degrees 38 minutes 48 seconds East, a distance of 92.82 feet to a point of tangent; thence North 77 degrees 18 minutes 29 seconds East along said road and tangent, a distance of 40.71 feet to a point of curve; thence Easterly along said road on a circular curve to the right having a radius of 200.00 feet, an arc distance of 11.96 feet to a point of tangent; thence North 80 degrees 44 minutes 08 seconds East along said road and tangent, a distance of 104.53 feet to a point of curve; thence Northeasterly along said road on a circular curve to the left having a radius of 360.00 feet, an arc distance of 186.64 feet to a point of tangent; thence North 51 degrees 01 minutes 54 seconds East along said road and tangent, a distance of 437.40 feet to a point of curve; thence Northeasterly along said road on a circular curve to the right having a radius of 305.00 feet, an arc distance of 211.35 feet to a point of tangent; thence South 89 degrees 15 minutes 56 seconds East along said road and tangent, a distance of 73.57 feet to a point of curve; thence Northeasterly along said road on a circular curve to the left having a radius of 275.00 feet, an arc distance of 184.53 feet to a point of tangent; thence North 52 degrees 17 minutes 15 seconds East along said road and tangent, a distance of 37.23 feet to a point of curve; thence Northeasterly along said road on a circular curve to the right having a radius of 165.00 feet, an arc distance of 109.29 feet to a point of tangent; thence South 89 degrees 45 minutes 39 seconds East along said road and tangent, a distance of 806.63 feet to a point of curve; thence Northeasterly along said road on a circular curve to the left having a radius of 180.00 feet, an arc distance of 98.47 feet to a point of reverse curve; thence Easterly along said road on a circular curve to the right having a radius of 35.00 feet, an arc distance of 41.73 feet to the Easterly line of that 113.64 acre tract aforesaid; thence South 21 degrees 20 minutes 00 seconds West along said line, a distance of 68.01 feet to the point of beginning, containing 8.5907 acres, more or less, of land.

Hans C. Hofer

DECEMBER 19, 2005

HANS C. HOFER REGISTERED No. 900010 STATE OF INDIANA LAND SURVEYOR

SAFETYVILL1.wpd

West Excess Tract

A part of that 113.64 acre Southtown Development Tract as recorded in Document No. 205018101 in the Office of the Allen County Recorder as amended by a certain Surveyor's Affidavit of Correction as recorded in Document No. 205037333, situated in a part of the Northeast Quarter, Northwest Quarter and Southeast Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, in particular described as follows to-wit:

To arrive at the point of beginning commence at the Northwest corner of said Northeast Quarter said Section; thence South 00 degrees 00 minutes 11 seconds West (Basis of bearings from Document No. 205018101 aforesaid) along the West line of said Northeast Quarter, a distance of 623.86 feet to a Northerly corner of the 113.64 acres aforesaid; thence North 51 degrees 20 minutes 11 seconds East along a Northerly line of said 113.64 acres, a distance of 42.16 feet to the point of beginning initially referred to; thence continuing North 51 degrees 20 minutes 11 seconds East along said Northerly line, a distance of 195.15 feet to the Westerly line of RING ROAD as described as PARCEL I in Document No. 205016501; thence South 49 degrees 06 minutes 44 seconds East along said road, a distance of 12.50 feet to a point of curve; thence Southerly along said road on a circular curve to the right having a radius of 35.00 feet, an arc distance of 51.93 feet to a point of tangent; thence South 35 degrees 54 minutes 12 seconds West along said road and tangent, a distance of 491.57 feet to a point of curve; thence Southerly along said road on a circular curve to the left having a radius of 235.00 feet, an arc distance of 85.86 feet to a point of tangent; thence South 14 degrees 58 minutes 14 seconds West along said road and tangent, a distance of 449.65 feet to a point of curve; thence Southwesterly along said road on a circular curve to the right having a radius of 185.00 feet, an arc distance of 101.68 feet to a point of tangent; thence South 46 degrees 27 minutes 40 seconds West along said road and tangent, a distance of 61.96 feet to a point of curve; thence Southwesterly along said road on a circular to the left having a radius of 210.00 feet, an arc distance of 29.06 feet to a point of tangent; thence South 38 degrees 31 minutes 56 seconds West along said road and tangent, a distance of 70.64 feet to a point of curve; thence Southwesterly along said road on a circular curve to the left having a radius of 235.00 feet, an arc distance of 77.83 feet to a point of tangent; thence South 19 degrees 33 minutes 24 seconds West along said road and tangent, a distance of 5.43 feet to a point of curve; thence Southerly along said road on a circular curve to the left having a radius of 335.00 feet, an arc distance of 115.52 feet to a point of tangent; thence South 00 degrees 12 minutes 06 seconds East along said road and tangent, a distance of 359.02 feet to a point of curve; thence Southeasterly along said road on a circular curve to the left having a radius of 235.00 feet, an arc distance of 196.48 feet to a point of tangent; thence South 48 degrees 06 minutes 18 seconds East along said road and tangent, a distance of 62.90 feet to a point of curve; thence Southeasterly along said road on a circular curve to the left having a radius of 320.00 feet, an arc distance of 211.71 feet; thence South 00 degrees 18 minutes 19 West seconds, a distance of 141.67 feet to a Southerly line of said 113.64 acres as situated on the South line of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter; thence North 89 degrees 41 minutes 41 seconds West along said line, a distance of 357.47 feet to a Southwesterly corner of said 113.64 acre tract; thence North 00 degrees 00 minutes 11 seconds East along a Westerly line of said 113.64 acre tract, a distance of 1315.78 feet to the North line of the Southeast Quarter of the Northwest Quarter; thence South 89 degrees 39 minutes 16 seconds East along said line, a distance of 41.73 feet to the center of a 115 foot drainage easement as shown on the Secondary Developement Plan of Southtown Centre as recorded in Document No. 205031930; thence North 54 degrees 31 minutes 58 seconds East along said centerline, a distance of 245.93 feet to a point of curve; thence Northeasterly along the approximate centerline of said easement on a circular curve to the left having a radius of 192.5 feet, an arc distance of 161.46 feet to a point of tangent; thence North 06 degrees 28 minutes 36 seconds East along the approximate centerline of said easement and tangent, a distance of 5.00 feet; thence North 01 degrees 56 minutes 08 seconds East along the approximate centerline of said easement, a distance of 32.62 feet; thence North 14 degrees 58 minutes 13 seconds East along the approximate centerline of said easement, a distance of 5.00 feet to a point of curve; thence Northeasterly along the approximate centerline of said easement on a circular curve to the right having a radius of 287.50 feet, an arc distance of 105.04 feet to a point of tangent at the center of a 105 foot drainage easement shown on the plan aforesaid; thence North 35 degrees 54 minutes 12 seconds East along said centerline and its extension produced, a distance of 280.84 feet; thence North 00 degrees 54 minutes 43 seconds West, a distance of 73.17 feet to the point of beginning, containing 5.8945 acres, more or less, of land.

DECEMBER 13, 2005

HANS C. HOFER REGISTERED No. 900010 STATE OF INDIANA LAND SURVEYOR

WESTEXES.wpd

ACADEMY TRACT

A part of that 113.64 acre Southtown Development Tract as recorded in Document No. 205018101 in the Office of the Allen County Recorder as amended by a certain Surveyor's Affidavit of Correction as recorded in Document No. 205037333, situated in a part of the Northeast Quarter, Northwest Quarter and Southeast Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, in particular described as follows to-wit:

To arrive at the point of beginning, commence at the Northwest corner of said Northeast Quarter said Section; thence South 89 degrees 37 minutes 00 seconds East (Basis of bearings assumed from DR 668 page 299 and Reference Survey by Carl A. Hofer May 18,1964 and Mid-States Engineering 1988 and Document No. 205018101) along the North line of said Northeast Quarter, a distance of 413.00 feet; thence South 00 degrees 23 minutes 00 seconds West, a distance of 25.00 feet to the Southwestern boundary of U.S. Routes 27 & 33; thence South 84 degrees 47 minutes 00 seconds East along said Southwestern boundary, a distance of 178.20 feet; thence South 53 degrees 40 minutes 00 seconds East along said Southwestern boundary, a distance of 857.14 feet to the Northwesterly corner of 0.055 acre tract conveyed to the State of Indiana; thence South 08 degrees 44 minutes 49 seconds East (South 10 degrees 01 minutes 04 seconds East deed) along a Westerly line of said 0.055 acres, a distance of 28.32 feet to the Northwesterly corner of INTERIOR T ROAD as described as PARCEL II in Document No. 205016501 in the Office of the Allen County Recorder; thence South 35 degrees 45 minutes 34 seconds West along said road, a distance of 180.15 feet; thence South 36 degrees 19 minutes 52 seconds West along said road, a distance of 68.92 feet; thence South 32 degrees 50 minutes 33 seconds West along said road, a distance of 227.69 feet to a point of curve; thence Southwesterly along said road on a circular curve to the right having a radius of 300.00 feet, an arc distance of 18.28 feet to a point of tangent; thence South 36 degrees 20 minutes 00 seconds West along said road and tangent, a distance of 857.33 feet to a point of curve; thence Southwesterly along said road on a circular curve to the right having a radius of 270.00 feet, an arc distance of 62.36 feet to a point of tangent; thence South 49 degrees 33 minutes 59 seconds West along said road and tangent, a distance of 39.50 feet to a point of curve; thence Westerly along said road on a circular curve to the right having a radius of 20.00 feet, an arc distance of 32.06 feet to a point of tangent; thence North 38 degrees 35 minutes 40 seconds West along said road and tangent, a distance of 274.88 feet to a point of curve; thence Northwesterly along said road on a circular curve to the left having a radius of 350.00 feet, an arc distance of 29.66 feet to a point of tangent; thence North 43 degrees 26 minutes 59 seconds West along said road and tangent, a distance of 71.80 feet to a point of curve; thence Northwesterly along said road on a circular curve to the left having a radius of 315.00 feet, an arc distance of 173.62 feet to a point of tangent; thence North 75 degrees 01 minutes 46 seconds West along said road and tangent, a distance of 142.73 feet to a point of curve; thence Northwesterly along said road on a circular to the right having a radius of 20.00 feet, an arc distance of 31.42 feet to a point of tangent as situated on an Easterly line of the RING ROAD as contained in PARCEL I in Document No. 205016501 aforesaid; thence South 14 degrees 58 minutes 14 seconds West along said roads, a distance of 100.00 feet to a point of curve and the point of beginning initially referred to; thence Northeasterly along INTERIOR T ROAD aforesaid on a non-tangent circular curve to the right having a radius of 20.00 feet, an arc distance of 31.42 feet to a point of tangent, the chord of which bears North 59 degrees 58 minutes 13 seconds East, a distance of 28.28 feet; thence South 75 degrees 01 minutes 46 seconds East along said road and tangent, a distance of 142.73 feet to a point of curve; thence Southeasterly along said road on a circular curve to the right having a radius of 255.00 feet, an arc distance of 140.55 feet to a point of tangent; thence South 43 degrees 26 minutes 59 seconds East along said road and tangent, a distance of 71.80 feet to a point of curve; thence Southeasterly along said road on a circular curve to the right having a radius of 290.00 feet, an arc distance of 24.57 feet to a point of tangent; thence South 38 degrees 35 minutes 40 seconds East along said road and tangent, a distance of 609.03 feet to a point of curve; thence Southerly along said road on a circular curve to the right having a radius of 20.00 feet, an arc distance of 31.29 feet to a point of tangent as situated on a Northerly line of the RING ROAD as contained in PARCEL I description aforesaid; thence South 51 degrees 01 minutes 54 seconds West along said road and tangent, a distance of 409.82 feet to a point of curve; thence Southwesterly along said road on a circular curve to the right having a radius of 300.00 feet, an arc distance of 155.53 feet to a point of tangent; thence South 80 degrees 44 minutes 08 seconds West along said road and tangent, a distance of 104.53 feet to a point of curve; thence Westerly along said road on a circular curve to the left having a radius of 260.00 feet, an arc distance of 15.55 feet to a point of tangent; thence South 77 degrees 18 minutes 29 seconds West along said road and tangent, a distance of 40.71 feet to a point of curve; thence Westerly along said road on a circular curve to the right having a radius of 260.00 feet, an arc distance of 247.71 feet to a point of tangent; thence North 48 degrees 06 minutes 18 seconds West along said road and tangent, a distance of 62.90 feet to a point of curve; thence Northerly along said road on a circular curve to the right having a radius of 175.00 feet, an arc distance of 146.31 feet to a point of tangent; thence North 00 degrees 12 minutes 06 seconds West along said road and tangent, a distance of 359.02 feet to a point of curve; thence Northerly along said road on a circular curve to the right having a radius of 275.00 feet, an arc distance of 94.83 feet to a point of tangent; thence North 19 degrees 33 minutes 24 seconds East along said road and tangent, a distance of 5.43 feet to a point of curve; thence Northeasterly along said road on a circular curve to the right having a radius of 175.00 feet, an arc distance of 57.96 feet to a point of tangent; thence North 38 degrees 31 minutes 56 seconds East along said road and tangent, a distance of 70.64 feet to a point of curve; thence Northeasterly along said road on a circular curve to the right having a radius of 150.00 feet, an arc distance of 20.76 feet to a point of tangent; thence North 46 degrees 27 minutes 40 seconds East along said road and tangent, a distance of 81.96 feet to a point of curve; thence Northerly along said road on a circular curve to the left having a radius of 245.00 feet, an arc distance of 134.66 feet to a point of tangent; thence North 14 degrees 58 minutes 14 seconds East along said road and tangent, a distance of 82.56 feet to the point of beginning containing 15.2825 acres, more or less, of land.

STCACADEMY.wpd

Hans C. Hofer

DECEMBER 13, 2005

HANS C. HOFER REGISTERED No. 900010 STATE OF INDIANA LAND SURVEYOR

WALLEN ROAD – MEDALLION RUN TO WALLEN LANE & SUTTERS COVE
RESOLUTION NO. 1119-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 3,375 LF of 12-inch water main, 1,150 LF of 16-inch water main, 12 fire hydrants, 3 valves, and all other appurtenances and work as necessary for the water main extension project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "WALLEN ROAD – MEDALLION RUN TO WALLEN LANE & SUTTERS COVE"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" (Property Acquisition Summary Sheet).

States there is a cost of $22,000 for the purchase of easements associated with this project.

Declares the engineer's estimate of the project's total cost is $406,500.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 5th DAY OF April, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Attachment "A"

Property Acquisition Sheet

Wallen Road - Water Main Extension

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NUMBERS (project plans)	SOURCE OF TITLE DEED RECORD NUMBER	WATER EASEMENT (SQ. FT.)	TEMPORARY EASEMENT (SQ. FT.)	REMARKS	EASEMENT DOCUMENT NUMBER
1	Pandelis Kaplanis	330 Block W. Wallen Road		980002951	21,760 (estimated)	5,440 (estimated)		
2	Paragon Land Development	330 Block W. Wallen Road		203053645	750 (estimated)	0		
3	Robert A. & Deborah D. Kinney	119 W. Wallen Road		201048395	600.2			204037740
4	Robert A. & Deborah D. Kinney	119 W. Wallen Road		201029386	1,900			204037739
5	Holy Trinity Greek Orthodox Church of Fort Wayne, Indiana, Inc.	110 E. Wallen Road		940019390	11,900			204040246

THREE RIVERS FILTRATION PLANT LIME SLUDGE PUMPING AND DRAW-OFF CONTROL IMPROVEMENTS PHASE I
RESOLUTION NO. 1756-2005

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Whereas, the Three Rivers Filtration Plant operations requires the ability to remove sludge residual from its primary and secondary treatment process, and the improvements to residual handling will make it possible for the Plant to improve the quality of water leaving the primary and secondary treatment stages, and

Whereas, the improvements from this project will install instrumentation and provide automated controls through Programmable Logic Controllers (PLC's) for sludge pumps & draw-off valves in Plant 1 which would enable the Plant to optimize sludge collection and sludge pumping system operations.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "THREE RIVERS FILTRATION PLANT LIME SLUDGE PUMPING AND DRAW-OFF CONTROL IMPORVEMENTS - PHASE I"

Declares the cost of the said improvements shall be paid by the funds from Fort Wayne Water Utility Bond.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $750,000.

APPROVED THIS 5th DAY OF April, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BLOWER #8 - 5 kV CABLE REPLACEMENT PROJECT
EMERGENCY RESOLUTION NO. 1849-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Whereas, the Water Pollution Control Plant operations require reliable electrical facilities, and

Whereas, buried electrical cables between the 5 kV Pad mounted Switchgear and blower No.8 building are deteriorated and in need of replacement, and

Whereas, the scope of this 4160 Volt electrical cable replacement project is beyond the capabilities of Water Pollution Control Plant O&M staff, and

Whereas, three competitive quotations from electrical contractors have been solicited, and

Whereas, the lowest quote is from Service Electric in the amount of $74,849.40, and

Whereas, on March 22, 2006 the BOW authorized improvement resolution NO. 1849-2006, and

Whereas, this is the same project, however with the change to warmer weather, now, time is of the essence as public health and safety could be placed in jeopardy by a faulty treatment process.

Therefore, the BOW hereby rescinds improvement resolution NO. 1849-2006 and authorizes this Emergency Resolution in its place.

Therefore, the BOW authorizes City Purchasing to issue a purchase order for this project.

Declares the cost of the said improvements shall be paid by the funds from Fort Wayne Sewer Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $80,000.

APPROVED THIS 5th DAY OF April, 2006.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan P. Chasey, Member

ATTEST: _____
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7083-06

HILLSBORO ADDITION CONCRETE STREET REPAIRS
WORK ORDER NO. 11919

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: TANBARK TRAIL AND SHADOWBROOK COVE IN HILLSBORO ADDITION BY PARTIAL RECONSTRUCTION OF CONCRETE PAVEMENT, CURBS, DRIVE APPROACHES, SIDEWALKS, ADA RAMPS, REHABILITITION OF STORM DRAINAGE, AND MULCH SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 5th day of April, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: HILLSBORO ADDITION - CONCRETE REPAIRS
DATE: 3-8-06
BID DATE: 4-26-06

RES. NO.: 7083-06
W.O. NO.: 11919

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	158	SY	$6.00	$948.00
2	REMOVAL OF CONCRETE CURB	1050	LF	$7.50	$7,875.00
3	REMOVAL OF CONCRETE PAVEMENT	822	SY	$7.00	$5,754.00
4	CEMENT CONCRETE PAVEMENT, PLAIN, 6 INCHES (7-BAG MIX W / SUPERPLASTICIZER)	822	SY	$27.00	$22,194.00
5	ANCHOR BOLTS (J-TYPE)	204	EA	$7.00	$1,428.00
6	CONCRETE SIDEWALK	10	SY	$24.00	$240.00
7	" SPECIAL" 4' CONCRETE CURB TYPE I-B	1050	LF	$18.00	$18,900.00
8	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE	136	SY	$25.00	$3,400.00
9	CONCRETE ADA CURBRAMPS	12	SY	$40.00	$480.00
10	CASTING TYPE "C" (ADJUST TO GRADE)	1	EA	$175.00	$175.00
11	INLET TYPE I-C	1	EA	$1,000.00	$1,000.00
12	PIPE, RCP, CLASS IV, 15" (INCLUDES NO. 53 STONE BACKFILL)	32	LF	$52.00	$1,664.00
13	BACKFILL BEHIND CURB	74	TON	$6.00	$444.00
14	BED COURSE MATERIAL	20	TON	$10.00	$200.00
15	COMPACTED AGGREGATE FOR BASE TYPE "O" NO. 53 STONE	136	TON	$14.00	$1,904.00
16	TOP SOIL	68	TON	$14.00	$952.00
17	SEED, MULCH, & FERTILIZER	310	SY	$1.50	$465.00
18	TYPE III BARRICADES W / FLASHERS	4	EA	$65.00	$260.00
19	PLASTIC DRUMS W / FLASHERS	32	EA	$16.00	$512.00
20	CONSTRUCTION SIGNS TYPE "A"	4	EA	$80.00	$320.00
21	MAINTENANCE OF TRAFFIC	1	LS	$2,800.00	$2,800.00
22	MOBILIZATION AND DE-MOBILIZATION	1	LS	$3,200.00	$3,200.00

SUB-TOTAL:	$75,115.00
E&I @25%	$18,778.75
TOTAL:	**$93,893.75**

BID 4/5/06

BID FORM FOR SALE OF
(0.23 ACRES BEHIND 6022 MAPLECREST ROAD)

To: Fort Wayne Board of Public Works
One East Main Street
Room 420 City-County Building
Fort Wayne, Indiana

The undersigned hereby offers to purchase for the sum of $ 5,751.00 in accordance with the Paragraphs below, the real estate in Allen County, Indiana commonly known as vacant lot behind 6022 Maplecrest Road, the legal description of which is N 100 of S 609.75 of E 100 of W 265.FT Sw1/4 SEC 15, St. Joseph Township, Allen County, Indiana 0.23A

1) PURCHASE PRICE
A) **CASH** The entire purchase price shall be paid in cash, cashiers check or money order.

2) In submitting his/her bid, bidder represents that this bid is genuine and not made in interest of or on behalf of any undisclosed person, firm, or corporation, and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation: bidder has not directly or indirectly induced or solicited any other bidder to submit a false or sham bid: bidder has not solicited or induced any person, firm, or corporation to refrain from bidding: and bidder has not sought collusion to obtain for himself/herself any advantage over any other bidder or over owner.

3) In addition to the above the bidder will pay all closing costs associated with this transaction, including appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

4) The Real Estate, its improvements, fixtures and utility systems, and any personal property included in this sale are being sold in "AS IS" condition, without warranty of any kind from Seller, either express or implied.

IN WITNESS WHEREOF, the undersigned has subscribed his/her name this _____day of March, 2006.

Janice Shelton
Signature

Janice Shelton
Printed Name

Organization

Title

128

#6

BID FORM FOR SALE OF
(0.23 ACRES BEHIND 6022 MAPLECREST ROAD)

To: Fort Wayne Board of Public Works
One East Main Street
Room 420 City-County Building
Fort Wayne, Indiana

The undersigned hereby offers to purchase for the sum of $_____ in accordance with the Paragraphs below, the real estate in Allen County, Indiana commonly known as vacant lot behind 6022 Maplecrest Road, the legal description of which is N 100 of S 609.75 of E 100 of W 265.FT Sw1/4 SEC 15, St. Joseph Township, Allen County, Indiana 0.23A

1) PURCHASE PRICE
A) **CASH** The entire purchase price shall be paid in cash, cashiers check or money order.

2) In submitting his/her bid, bidder represents that this bid is genuine and not made in interest of or on behalf of any undisclosed person, firm, or corporation, and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation: bidder has not directly or indirectly induced or solicited any other bidder to submit a false or sham bid: bidder has not solicited or induced any person, firm, or corporation to refrain from bidding: and bidder has not sought collusion to obtain for himself/herself any advantage over any other bidder or over owner.

3) In addition to the above the bidder will pay all closing costs associated with this transaction, including appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

4) The Real Estate, its improvements, fixtures and utility systems, and any personal property included in this sale are being sold in "AS IS" condition, without warranty of any kind from Seller, either express or implied.

IN WITNESS WHEREOF, the undersigned has subscribed his/her name this _____day of March, 2006.

_____
Signature

_____
Printed Name

_____
Organization

_____
Title

NOTICE OF SALE OF
REAL ESTATE BY THE
BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE

Notice is hereby given that the Board of Public Works of the City of Fort Wayne will receive sealed bids for the sale of real estate. The Board of Public Works is declaring the property is located behind 6022 Maplecrest Road, Fort Wayne, Indiana to be surplus and is soliciting bids to sell said property. Legal description is a follows: N 100 of S 609.75 of E 100 of W 265FT SW1/4 SEC 15 (0.23A), St. Joseph Township, Allen County, Indiana. The key number is 75-0015-5043.

Bids may be mailed or hand delivered to the attention of:

BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE
ONE EAST MAIN STREET – ROOM 425
FORT WAYNE, INDIANA 46802

Bids must be enclosed in a sealed envelope bearing the title of the property along with the name and address of the bidder. No bid lower than Five Thousand Seven Hundred Fifty Dollars ($5,750.00) will be accepted.

All bids shall be on the form prescribed by the Board of Public Works. A bid submitted by a trust as defined in IC 30-4-1-1(a) must identify each beneficiary of the trust and the settlor empowered to revoke or modify the trust. The property may not be sold to a person who is ineligible under Section 16 of Chapter 11, Disposal of Property, Indiana Code 36-1.

The sale of the real estate commences on March 17, 2006 and ends April 5, 2006. Bids must be delivered no later than 9:00 a.m. local time on April 5, 2006 to the Office of the Board of Public Works. Bids received after 9:00 a.m. will be returned unopened.

From the time of receipt until the due date and time, bids will be open to public inspection and bidders may raise their bids by submitting revised bid form. A revised bid will become effective once the Board has given written notice of the revised bid to all other bidders.

No bid will be accepted from, or awarded to, any person, firm, or corporation that is in arrears to the City of Fort Wayne; who has failed to execute, in whole or in part in a satisfactory manner, any contract with the City of Fort Wayne; or who is a defaulter as to surety or otherwise upon any obligation to the City of Fort Wayne.

The Board of Public Works reserves the right to reject any and all bids and to waive any defect in any bid.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

_____
Regina A. Kostoff, Chair

_____
John Suarez, Member

_____
Ryan P. Chasey, Member

ATTEST: _____
Marilyn Huth, Clerk

Advertise March 17, 2006, and March 24, 2006, in the Journal Gazette and News Sentinel, and Ink March 22, 2006.

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

Delivered by Certified Mail

March 24, 2006

Ms. Janice M. Shelton
6125 Cross Creek Blvd.
Fort Wayne, IN 46818

City of Fort Wayne
Property Management Department
One East Main St., Room 350
Fort Wayne, IN 46802
(260) 427–1402
Fax: (260) 427-1393

RE: N 100 of S 609.75 of E 100 of W 265FT SW1/4 Sec 15, St. Joseph Township, Allen County, Indiana, Key Number 75-0015-5043 (0.23 Acres) Behind 6022 Maplecrest Road

Dear Ms. Shelton:

We are sending this letter to inform you that the Board of Public Works has approved a resolution declaring their intent to sell the above referenced property. As the disposing agent for the Board of Public Works of the City of Fort Wayne, State Statute requires that I send notice by certified mail to all abutting landowners.

This notice of sale was advertised in the Fort Wayne newspapers on March 17, 2006 and March 24, 2006 and Ink on March 22, 2006.

The resolution and the ad state that no bid lower than Five Thousand Seven Hundred Fifty Dollars ($5,750.00) will be accepted. They also state that the buyer will pay for other costs associated with the sale, including the cost of an appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

The Board of Public Works will accept bids on the real estate at the meeting designated in the Notice of Sale and legal ad. Please review the attached Notice of Sale as it tells you the terms and conditions of the sale and when and where bids will be accepted.

Additionally, I have included a bid form for your use should you decide to submit an offer. If you have any questions on the above, please feel free to contact me at your earliest convenience.

Sincerely,

Daniel A. Brenner

Daniel A. Brenner
Property Manager

Enc.

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

Delivered by Certified Mail

March 24, 2006

Michael & Cynthia Kirila
6404 Oak Bridge Place
Fort Wayne, IN 46835

City of Fort Wayne
Property Management Department
One East Main St., Room 350
Fort Wayne, IN 46802
(260) 427–1402
Fax: (260) 427-1393

RE: N 100 of S 609.75 of E 100 of W 265FT SW1/4 Sec 15, St. Joseph Township, Allen County, Indiana, Key Number 75-0015-5043 (0.23 Acres) Behind 6022 Maplecrest Road

Dear Michael & Cynthia:

We are sending this letter to inform you that the Board of Public Works has approved a resolution declaring their intent to sell the above referenced property. As the disposing agent for the Board of Public Works of the City of Fort Wayne, State Statute requires that I send notice by certified mail to all abutting landowners.

This notice of sale was advertised in the Fort Wayne newspapers on March 17, 2006 and March 24, 2006 and Ink on March 22, 2006.

The resolution and the ad state that no bid lower than Five Thousand Seven Hundred Fifty Dollars ($5,750.00) will be accepted. They also state that the buyer will pay for other costs associated with the sale, including the cost of an appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

The Board of Public Works will accept bids on the real estate at the meeting designated in the Notice of Sale and legal ad. Please review the attached Notice of Sale as it tells you the terms and conditions of the sale and when and where bids will be accepted.

Additionally, I have included a bid form for your use should you decide to submit an offer. If you have any questions on the above, please feel free to contact me at your earliest convenience.

Sincerely,

Daniel A. Brenner

Daniel A. Brenner
Property Manager

Enc.

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

Delivered by Certified Mail

March 24, 2006

Michael & Dawn Stout
6322 Oak Bridge Place
Fort Wayne, IN 46835

City of Fort Wayne
Property Management Department
One East Main St., Room 350
Fort Wayne, IN 46802
(260) 427–1402
Fax: (260) 427-1393

RE: N 100 of S 609.75 of E 100 of W 265FT SW1/4 Sec 15, St. Joseph Township, Allen County, Indiana, Key Number 75-0015-5043 (0.23 Acres) Behind 6022 Maplecrest Road

Dear Michael & Dawn:

We are sending this letter to inform you that the Board of Public Works has approved a resolution declaring their intent to sell the above referenced property. As the disposing agent for the Board of Public Works of the City of Fort Wayne, State Statute requires that I send notice by certified mail to all abutting landowners.

This notice of sale was advertised in the Fort Wayne newspapers on March 17, 2006 and March 24, 2006 and Ink on March 22, 2006.

The resolution and the ad state that no bid lower than Five Thousand Seven Hundred Fifty Dollars ($5,750.00) will be accepted. They also state that the buyer will pay for other costs associated with the sale, including the cost of an appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

The Board of Public Works will accept bids on the real estate at the meeting designated in the Notice of Sale and legal ad. Please review the attached Notice of Sale as it tells you the terms and conditions of the sale and when and where bids will be accepted.

Additionally, I have included a bid form for your use should you decide to submit an offer. If you have any questions on the above, please feel free to contact me at your earliest convenience.

Sincerely,

Daniel A. Brenner

Daniel A. Brenner
Property Manager

Enc.

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

Delivered by Certified Mail

March 24, 2006

BDW LLC
6820 Palmilla Court
Fort Wayne, IN 46835

City of Fort Wayne
Property Management Department
One East Main St., Room 350
Fort Wayne, IN 46802
(260) 427–1402
Fax: (260) 427-1393

RE: N 100 of S 609.75 of E 100 of W 265FT SW1/4 Sec 15, St. Joseph Township, Allen County, Indiana, Key Number 75-0015-5043 (0.23 Acres) Behind 6022 Maplecrest Road

To Whom it May Concern:

We are sending this letter to inform you that the Board of Public Works has approved a resolution declaring their intent to sell the above referenced property. As the disposing agent for the Board of Public Works of the City of Fort Wayne, State Statute requires that I send notice by certified mail to all abutting landowners.

This notice of sale was advertised in the Fort Wayne newspapers on March 17, 2006 and March 24, 2006 and Ink on March 22, 2006.

The resolution and the ad state that no bid lower than Five Thousand Seven Hundred Fifty Dollars ($5,750.00) will be accepted. They also state that the buyer will pay for other costs associated with the sale, including the cost of an appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

The Board of Public Works will accept bids on the real estate at the meeting designated in the Notice of Sale and legal ad. Please review the attached Notice of Sale as it tells you the terms and conditions of the sale and when and where bids will be accepted.

Additionally, I have included a bid form for your use should you decide to submit an offer. If you have any questions on the above, please feel free to contact me at your earliest convenience.

Sincerely,

Daniel A. Brenner

Daniel A. Brenner
Property Manager

Enc.

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

Delivered by Certified Mail

March 24, 2006

Fort Wayne Community Schools
1200 South Clinton Street
Fort Wayne, IN 46802

City of Fort Wayne
Property Management Department
One East Main St., Room 350
Fort Wayne, IN 46802
(260) 427–1402
Fax: (260) 427-1393

RE: N 100 of S 609.75 of E 100 of W 265FT SW1/4 Sec 15, St. Joseph Township, Allen County, Indiana, Key Number 75-0015-5043 (0.23 Acres) Behind 6022 Maplecrest Road

To Whom it May Concern:

We are sending this letter to inform you that the Board of Public Works has approved a resolution declaring their intent to sell the above referenced property. As the disposing agent for the Board of Public Works of the City of Fort Wayne, State Statute requires that I send notice by certified mail to all abutting landowners.

This notice of sale was advertised in the Fort Wayne newspapers on March 17, 2006 and March 24, 2006 and Ink on March 22, 2006.

The resolution and the ad state that no bid lower than Five Thousand Seven Hundred Fifty Dollars ($5,750.00) will be accepted. They also state that the buyer will pay for other costs associated with the sale, including the cost of an appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

The Board of Public Works will accept bids on the real estate at the meeting designated in the Notice of Sale and legal ad. Please review the attached Notice of Sale as it tells you the terms and conditions of the sale and when and where bids will be accepted.

Additionally, I have included a bid form for your use should you decide to submit an offer. If you have any questions on the above, please feel free to contact me at your earliest convenience.

Sincerely,

Daniel A. Brenner

Daniel A. Brenner
Property Manager

Enc.

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Fort Wayne Community Schools
1200 S. Clinton St.
Ft. Wayne, IN
46902

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BWD LLC
6820 Palmilla Court
Ft. Wayne, IN
46835

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael + Dawn Stout
6322 Oak Bridge Place
Ft. Wayne, IN
46835

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael + Cynthia Kirila
6404 Oak Bridge Place
Ft. Wayne, IN 46835

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (*Printed Name*) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (*Extra Fee*) ☐ Yes

2. Article Number
(*Transfer from service label*)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Janice M. Shelton
6125 Cross Creek Blvd
Ft. Wayne, IN 46818

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (*Printed Name*) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (*Extra Fee*) ☐ Yes

2. Article Number
(*Transfer from service label*)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Legend

- Address Points
- County
- Interstate
- Municipal
- Private
- State
- US Highway
- Claim Line
- County Line
- Geog Twp Line
- Indian Line
- Lot Line
- Parcel Line
- Pol Corp Line
- Pol Twp Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- State Line
- Sub Line 100
- Sub Line 400
- Water Line

N
W E
S

0 50 100 Feet

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2003 / Contours 1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map

Tax ID 75-0015-0061 Printed 02/24/2006 Card No. 1 of 1

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
02-08-15-354-002.000-072

Parent Parcel Number

Property Address
6022 MAPLECREST RD

Neighborhood
631018 Ag/Rural Res Homesites 01

Property Class
511 Res 1 fam unplatted 0-9.99 ac

TAXING DISTRICT INFORMATION

Jurisdiction	02	Allen
Area	028	St. Joseph
Corporation	100	
District	072	
Section & Plat	0153113	
Routing Number	4-15-1-009	

Site Description

Topography:
Level

Public Utilities:
All

Street or Road:
Paved

Neighborhood:
Static

Zoning:

Legal Acres:
0.2320

OWNERSHIP

SHELTON JANICE M
6125 CROSS CREEK BLVD
FORT WAYNE, IN 46818

W165 OF S85 FT OF N25A
SW1/4 SW1/4 EX PT TO
COUNTY SEC 15

TRANSFER OF OWNERSHIP

Date			
07/14/2003	BOJRAB CHARLES & JOSEPHINE TRUST	$0	Bk/Pg: 03, 15627

RESIDENTIAL

VALUATION RECORD

Assessment Year		03/01/1995	03/01/1998	03/01/2001	03/01/2002
Reason for Change		Misc	Split	100pct AV	4Y Reval
VALUATION	L	6400	5300	5300	12100
Appraised Value	B	44000	44000	44000	84100
	T	50400	49300	49300	96200
VALUATION	L	2130	1770	5300	12100
True Tax Value	B	14670	14670	44000	84100
	T	16800	16440	49300	96200

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table 200 Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 Homesite	AV	0.2320		2.08	25000.00	52000.00	12060		12060

ChID: Previous parcel_id: 75-0015-0061
REVL: 2003 reassessment add for living quarters above garage per newspaper article May 12, 2002 Journal Gazette.
SP98: RD WIDENING 97-233 3-10-97

FARMLAND COMPUTATIONS

Parcel Acreage		0.2320
81 Legal Drain NV	[-]	
82 Public Roads NV	[-]	
83 UT Towers NV	[-]	
9 Homesite(s)	[-]	
TOTAL ACRES FARMLAND		
TRUE TAX V		

Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)

Supplemental Cards
TOTAL LAND VALUE 12100

Supplemental Cards

TRUE TAX VALUE 12060

****** REAL PROPERTY MASTER FILE CHANGE 2005 PAY 2006 ******

KEY NUMBER: 02-08-15-354-009.000-072 / 75-0015-5019

TAX CODE = 5

OWNER NAME/ADDRESS
FORT WAYNE COMMUNITY SCHOOLS

[redacted]0 S CLINTON ST
FORT WAYNE, IN 46802 3504

PROP ADD HOUSE #: 06341 DIR:
STREET : SAINT JOE CENTER RD
ZIP CODE: 46835

DEED: REF#: V91 TRNDAT: 00000000
ACTIVITY DATES: 09142005 10082004
R LAND: 000000000 HOMESTEAD YR = 0000
NR LAND: 000000000 HOME FLAG: N - 00000
TL LAND: 000000000 ACRES: 4.96
R IMPV: 000000000 USE CODE: 650
NR IMPV: 000000000
TL IMPV: 000000000

LEGAL DESCRIPTION
W 6A OF S 15A
W 1/2 SW 1/4 EX PT TO CO
SEC 15

DRAIN INFORMATION

	NUMBER	ACRES	AMOUNT
01	0809310	4.96	9.50
02	0000000	0.00	0.00
03	0000000	0.00	0.00
04	0000000	0.00	0.00
05	0000000	0.00	0.00
06	0000000	0.00	0.00
07	0000000	0.00	0.00
08	0000000	0.00	0.00

XMPT	CTL#	BK#	PG1	PG2
000000000	00000	0	0	0
000000000			0	
000000000	RECONSTRUCTION INFO			
000000000			0.00	
			0.00	

****** REAL PROPERTY MASTER FILE CHANGE 2005 PAY 2006 ******

KEY NUMBER: 02-08-15-354-005.000-072 / 75-5187-0158
TAX CODE = 0

OWNER NAME/ADDRESS
KIRILA MICHAEL G & CYNTHIA A

4 OAK BRIDGE PL
FORT WAYNE, IN 46835 0000

LEGAL DESCRIPTION
JONATHON OAKS SEC V LOT 158

PROP ADD HOUSE #: 06404 DIR:
STREET : OAK BRIDGE PL
ZIP CODE: 46835
DEED: E REF#: 0099-12875 TRNDAT: 11051999
ACTIVITY DATES: 09142005 11022004
R LAND: 000027100 HOMESTEAD YR = 0000
NR LAND: 000000000 HOME FLAG: Y - 35000
TL LAND: 000027100 ACRES: 0.00
R IMPV: 000147000 USE CODE: 510
NR IMPV: 000000000
TL IMPV: 000147000

DRAIN INFORMATION

	NUMBER	ACRES	AMOUNT
01	0809310	0.00	9.50
02	0000000	0.00	0.00
03	0000000	0.00	0.00
04	0000000	0.00	0.00
05	0000000	0.00	0.00
06	0000000	0.00	0.00
07	0000000	0.00	0.00
08	0000000	0.00	0.00

XMPT DOCUMENT NUM YEAR
M 000003000 * 0023640 2003 000
000000000 0
000000000 RECONSTRUCTION INFO
000000000 0.00
0.00

****** REAL PROPERTY MASTER FILE CHANGE 2005 PAY 2006 ******

KEY NUMBER: 02-08-15-354-004.000-072 / 75-5187-0157

TAX CODE = 0

OWNER NAME/ADDRESS

STOUT MICHAEL C & DAWN M

[redacted]2 OAK RIDGE PL

FORT WAYNE, IN 46835 0000

LEGAL DESCRIPTION

JONATHON OAKS SEC V LOT 157

PROP ADD HOUSE #: 06322 DIR:
STREET : OAK BRIDGE PL
ZIP CODE: 46835
DEED: E REF#: 01-15075 TRNDAT: 12142001
ACTIVITY DATES: 09142005 10082004
R LAND: 000025500 HOMESTEAD YR = 2002
NR LAND: 000000000 HOME FLAG: Y - 35000
TL LAND: 000025500 ACRES: 0.00
R IMPV: 000121700 USE CODE: 510
NR IMPV: 000000000
TL IMPV: 000121700

DRAIN INFORMATION

	NUMBER	ACRES	AMOUNT
01	0809310	0.00	9.50
02	0000000	0.00	0.00
03	0000000	0.00	0.00
04	0000000	0.00	0.00
05	0000000	0.00	0.00
06	0000000	0.00	0.00
07	0000000	0.00	0.00
08	0000000	0.00	0.00

XMPT DOCUMENT NUM YEAR
M 000003000 * 0009807 2001 000
000000000 0
000000000 RECONSTRUCTION INFO
000000000 0.00
0.00

****** REAL PROPERTY MASTER FILE CHANGE 2005 PAY 2006 ******

KEY NUMBER: 02-08-15-354-001.000-072 / 75-0015-0074
TAX CODE = 0

OWNER NAME/ADDRESS
BDW LLC

[redacted] PALMILLA CT
FORT WAYNE, IN 46835 0000

LEGAL DESCRIPTION
FRL S 304.94 OF N 730.94 OF
FRL W 225 FT SW1/4 SW1/4
SEC 15

PROP ADD HOUSE #: 06108 DIR:
STREET : MAPLECREST RD
ZIP CODE: 46835
DEED: REF#: 0000-5201 TRNDAT: 06022000
ACTIVITY DATES: 09142005 10082004
R LAND: 000000000 HOMESTEAD YR = 0000
NR LAND: 000171000 HOME FLAG: N - 00000
TL LAND: 000171000 ACRES: 0.00
R IMPV: 000000000 USE CODE: 442
NR IMPV: 000480000
TL IMPV: 000480000

DRAIN INFORMATION

	NUMBER	ACRES	AMOUNT
01	0809310	1.57	9.50
02	0000000	0.00	0.00
03	0000000	0.00	0.00
04	0000000	0.00	0.00
05	0000000	0.00	0.00
06	0000000	0.00	0.00
07	0000000	0.00	0.00
08	0000000	0.00	0.00

XMPT	CTL#	BK#	PG1	PG2
000000000	00000	0	0	0
000000000			0	
000000000	RECONSTRUCTION INFO			
000000000	00000000		0.00	
	00000000		0.00	

Allen Co. Parcel Data

Parcel #	02-08-15-354-001.000-072
Old Key #	75-0015-0074
Property Address	6108 MAPLECREST RD
Mailing Address	6820 PALMILLA CT
City	FORT WAYNE
Land	$ 171,000
Dwelling	$ 480,000
Improvement	$ 0
Real Estate Tax ('04 pay '05)	$ 16,026
Homestead Ex	N
Homestead Ex Amt	$ 0

Allen Co. Parcel Data

Parcel #	02-08-15-354-002.000-072
Old Key #	75-0015-0061
Property Address	6022 MAPLECREST RD
Mailing Address	6125 CROSS CREEK BLVD
City	FORT WAYNE
Land	$ 12,100
Dwelling	$ 84,100
Improvement	$ 0
Real Estate Tax ('04 pay '05)	$ 2,368
Homestead Ex	N
Homestead Ex Amt	$ 0

Allen Co. Parcel Data

Parcel #	02-08-15-354-009.000-072
Old Key #	75-0015-5019
Property Address	6341 SAINT JOE CENTER RD
Mailing Address	1200 S CLINTON ST
City	FORT WAYNE
Land	$ 0
Dwelling	$ 0
Improvement	$ 0
Real Estate Tax ('04 pay '05)	$ 0
Homestead Ex	N
Homestead Ex Amt	$ 0

Allen Co. Parcel Data

Parcel #	02-08-15-354-005.000-072
Old Key #	75-5187-0158
Property Address	6404 OAK BRIDGE PL
Mailing Address	6404 OAK BRIDGE PL
City	FORT WAYNE
Land	$ 27,100
Dwelling	$ 147,000
Improvement	$ 0
Real Estate Tax ('04 pay '05)	$ 2,627
Homestead Ex	Y
Homestead Ex Amt	$ 35,000

Allen Co. Parcel Data

Parcel #	02-08-15-354-004.000-072
Old Key #	75-5187-0157
Property Address	6322 OAK BRIDGE PL
Mailing Address	6322 OAK RIDGE PL
City	FORT WAYNE
Land	$ 25,500
Dwelling	$ 121,700
Improvement	$ 0
Real Estate Tax ('04 pay '05)	$ 2,108
Homestead Ex	Y
Homestead Ex Amt	$ 35,000

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

PROPERTY MANAGEMENT DEPARTMENT

INTER-OFFICE

MEMO

TO: Members of the Common Council

FROM: Daniel A. Brenner
Property Manager

DATE: April 6, 2006

RE: Purchase Agreement – 802 Wagner Avenue

Fort Wayne City Utilities has entered into a Purchase Agreement with the Department of Housing and Urban Development (HUD) to purchase a home located at 802 Wagner Avenue.

The property is located on the South side of Wagner Avenue and is immediately to the North of the Three Rivers Water Filtration Plant. While City Utilities has no plan to expand the Water Filtration Plant at this time, the water utility is beginning to acquire properties along the South side of Wagner Avenue, as they become available, for possible projects decades in the future.

The agreed purchase price is based on the average of two appraisals of the property. Copies of the valuation pages are attached. The Board of Public Works has approved the Purchase Agreement. A copy is attached for your review.

City Utilities recommends approval of this property purchase and respectfully requests City Council consideration.

If you have any question on the above, please feel free to contact me at 427-1402.

Attachments

Sales Contract

Property Disposition Program

U.S. Department of Housing and Urban Development
Office of Housing
Federal Housing Commissioner

HUD Case No: 151521323

1. I (We), CITY OF FORT WAYNE
(Purchaser(s)) agree to purchase on the terms set forth herein, the following property, as more particularly described in the deed conveying the property to the Secretary of Housing and Urban Development:
802 WAGNER ST FORT WAYNE ALLEN IN 46805
(street number, street name, unit number, if applicable, city, county, State)

2. The Secretary of Housing and Urban Development (Seller) agrees to sell the property at the price and terms set forth herein, and to prepare a deed containing a covenant which warrants against the acts of the Seller and all claiming by, through or under him. Title will be taken in the following name(s) and style: City of FORT WAYNE Sole owner

3. The agreed purchase price of the property is ➤ 3. $ 36,800
Purchaser has paid $ 500.00 as earnest money to be applied on the purchase price, and agrees to pay the balance of the purchase price, plus or minus prorations, at the time of closing, in cash to Seller. The earnest money deposit shall be held by Coldwell Banker Koch (JWM) Ltd.

4. ☐ Purchaser is applying for FHA insured financing [☐ 203(b), ☐ 203(b) repair escrow, ☐ 203(k)] with a cash down payment of $ _____ due at closing and the balance secured by a mortgage in the amount of $ _____ for _____ months (does not include FHA Mortgage Insurance Premium, prepaid expenses or closing costs Seller has agreed to fund into mortgage)
☐ Said mortgage involves a repair escrow amounting to $ _____
☒ Purchaser is paying cash or applying for conventional or other financing not involving FHA

5. Seller will pay reasonable and customary costs, but not more than actual costs, nor more than paid by a typical Seller in the area, of obtaining financing and/or closing (excluding broker's commission) in an amount not to exceed ➤ 5. $ 0

6a Upon sales closing, Seller agrees to pay to the broker identified below a commission (including selling bonus, if offered by seller) of ➤ 6a. $ 1848

6b If broker identified below is not the broad listing broker, broad listing broker will receive a commission of: ➤ 6b. $ _____

7. The net amount due Seller is (Purchase price [Item 3] less Items 5 and 6) ➤ 7. $ 34,960

8. Purchaser is: ☐ owner-occupant (will occupy this property as primary residence) ☒ investor
☐ nonprofit organization ☐ public housing agency ☐ other government agency. Discount at closing: _____ %
Discount will reduced by amounts, if any, listed on Line Items 5 and 6.

9. Time is of the essence as to closing. The sale shall close not later than 45 days from Seller's acceptance of contract. Closing shall be held at the office of Seller's designated closing agent or Title Co, Inc

10. If Seller does not accept this offer, Seller ☐ may ☒ may not hold such offer as a back-up to accepted offer.

11. Lead based paint addendum ☒ is ☐ is not attached; Other addendum ☒ is ☐ is not attached hereto and made part of this contract.

12. **Should Purchaser refuse or otherwise fail to perform in accordance with this contract, including the time limitation, Seller may, at Seller's sole option, retain all or a portion of the deposit as liquidated damages. The Seller reserves the right to apply the earnest money, or any portion thereof, to any sums which may be owed by the Purchaser to the Seller for rent.** Purchaser(s) Initials: _____ Seller's Initials: _____

13. This contract is subject to the Conditions of Sale on the reverse hereof, which are incorporated herein and made part of this contract.
Certification of Purchaser: The undersigned certifies that in affixing his/her/its signature to this contract he/she/it understands: (1) all the contents thereof (including the Conditions of Sale) and is in agreement therewith without protest; (2) he/she/it is responsible for satisfying itself as to the full condition of the property; and (3) that Seller will not perform repairs after acceptance of this contract.

Purchaser(s): (type or print names & sign)
Property Manager
City of FORT WAYNE Daniel A. Brenner

Purchaser(s) Address: Room 350 City County Building Fort Wayne, IN 46802

Purchaser(s) Social Security Number (SSN) or Employer Identification Number (EIN) (include hyphens) 356001029 Phone No: 260 427-1402

Date Purchaser(s) Signed Contract: 3/13/06

Seller: Secretary of Housing and Urban Development By: (type name & sign) HMB, Inc. As HUD's Representative
X

Date Contract Accepted by HUD: 3-22-06

Certification of Broker: The undersigned certifies that: (1) neither he/she nor anyone authorized to act for him/her has declined to sell the property described herein to or to make it available for inspection or consideration by a prospective purchaser because of his/her race, color, religion, sex, familial status, national origin, or disability; (2) he/she has both provided and explained to the purchaser the notice regarding use of Seller's closing agent; (3) he/she has explained fully to the purchaser the entire terms of the contract, including Condition B on the reverse hereof; and (4) he/she is in compliance with Seller's earnest money policy as set forth on HUD forms SAMS-1111, Payee Name and Address, and SAMS-1111-A, Selling Broker Certification, which he/she has executed and filed with Seller.

Broker's Business Name & Address: (for IRS reporting) (Include Zip Code)	Broker's EIN or SSN: (Include hyphens)	SAMS NAID:
Coldwell Banker KW6 5503 Coventry Ln Fort Wayne, IN 46804	351178446	
	Signature of Broker: X	Broker's Phone No: 260 489 3336
Type or print the name and phone number of sales person:	NENA GERBER 260 489.3336	

This section for HUD use only. Broker notified of:	Authorizing Signature & Date:
☐ Acceptance ☐ Back-Up No. _____	
☐ Rejection ☐ Return Earnest Money Deposit	X

Previous editions are obsolete

ref. Handbook 4310.5 form HUD-9548 (1/99)

RITA ANN GABRIEL & ASSOCIATES, INC.

February 10, 2006

CITY OF FORT WAYNE – CITY UTILITIES
Attn: Justin Brugger, Program Manager
Capital Project Services, Water Resources
Room 480, One East Main Street
Fort Wayne, Indiana 46802

Dear Mr. Brugger:

At your request, I personally inspected the property legally described in this report and identified as the single-family residence located at 802 Wagner Street, Fort Wayne, Allen County, Indiana. The Department of Housing & Urban Development owns the property. The purpose of the inspection of the property on February 4, 2006 was to become significantly familiar with the real estate to provide the market value of the fee simple interest in the property.

The request for appraisal services is for a Complete Appraisal Analysis presented in a Summary Appraisal Report. As a result of the nature and character of the real estate, the applicable valuation approach for this assignment is the Improved Sales Comparison Approach. The Cost Approach is not considered to be relevant due to the extensive accrued depreciation from physical deterioration and obsolescence in the existing improvements. The Income Approach is not processed because the residential improvements are unrepresentative of the nature and character of an income producing property. This aspect of the assignment was discussed with the client.

After completing the inspection of the property and considering pertinent information obtained, I am of the opinion that the estimated market value of the fee simple interest as though free and clear of all liens in the real estate identified as the subject of this report, as of February 4, 2006, is:

FORTY-THREE THOUSAND ($43,000.00) DOLLARS

The undersigned appraiser is not an engineer qualified to detect any environmentally hazardous materials. Although no evidence of any contamination was noted during the inspection of the property, this appraiser assumes no responsibility for any such conditions and/or their affect on the value of this real estate.

I hereby certify that to the best of my knowledge and beliefs, the statements and opinions contained in this report are correct, subject to the limiting conditions herein set forth, and that I have no contemplated interest in this or any other property that will affect the conclusions reached. This appraisal assignment is not contingent on a requested minimum valuation. The estimated market value of the subject property does not include any contributory value for non-realty items which may be present in the property as of the date of valuation.

Thank you for giving me the opportunity of providing this appraisal service. If you have any questions regarding any portion of this report, please contact me at your convenience.

Sincerely,

Rita Ann Gabriel, MAI
Indiana Certified General Appraiser
License Number CG 69100630

Uniform Residential Appraisal Report

151-521323
File # 151-521323

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

SUBJECT

Property Address 802 WAGNER STREET | City FORT WAYNE | State IN | Zip Code 46805
Borrower N/A | Owner of Public Record OWNER OF RECORD | County ALLEN
Legal Description LOT 24 BALTES & ROMY ADD
Assessor's Parcel # 91-2095-0024 | Tax Year 2005 | R.E. Taxes $ 1,008.00
Neighborhood Name N/A | Map Reference 800/1200 | Census Tract 23060-0005.00
Occupant ☐ Owner ☐ Tenant ☒ Vacant | Special Assessments $ 0 | ☐ PUD HOA $ 0 ☐ per year ☐ per month
Property Rights Appraised ☒ Fee Simple ☐ Leasehold ☐ Other (describe)
Assignment Type ☐ Purchase Transaction ☐ Refinance Transaction ☒ Other (describe) FHA/REO MARKET VALUE
Lender/Client HMB INC./HUD | Address 8600 WEST BRYN MAWR AVENUE SUITE 600 SOUTH, CHICAGO, IL 60631
Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? ☐ Yes ☒ No
Report data source(s) used, offering price(s), and date(s). MLS

CONTRACT

I ☐ did ☐ did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed. FHA/REO MARKET VALUE

Contract Price $ N/A | Date of Contract N/A | Is the property seller the owner of public record? ☒ Yes ☐ No | Data Source(s)
Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? ☐ Yes ☐ No
If Yes, report the total dollar amount and describe the items to be paid. N/A

Note: Race and the racial composition of the neighborhood are not appraisal factors.

NEIGHBORHOOD

Neighborhood Characteristics			One-Unit Housing Trends			One-Unit Housing			Present Land Use %	
Location	☒ Urban	☐ Suburban ☐ Rural	Property Values	☐ Increasing	☒ Stable ☐ Declining	PRICE	AGE		One-Unit	90 %
Built-Up	☒ Over 75%	☐ 25-75% ☐ Under 25%	Demand/Supply	☐ Shortage	☒ In Balance ☐ Over Supply	$ (000)	(yrs)		2-4 Unit	3 %
Growth	☐ Rapid	☒ Stable ☐ Slow	Marketing Time	☐ Under 3 mths	☒ 3-6 mths ☐ Over 6 mths	25	Low	70	Multi-Family	2 %
Neighborhood Boundaries	ARE RIVERSIDE AVENUE TO THE NORTH,SPY RUN AVENUE TO THE					65+	High	105+	Commercial	5 %
WEST,WAGNER STREET TO THE SOUTH AND TECUMSEH STREET TO THE EAST.						55-60	Pred.	80-85	Other	0 %

Neighborhood Description SUBJECT LOCATED IN NORTH CENTRAL FORT WAYNE IN AN OLDER ESTABLISHED NEIGHBORHOOD. PROPERTIES IN THE SUBJECT IMMEDIATE AREA ARE MOSTLY OLDER TWO STORY HOMES DISPLAYING AVERAGE EXTERIOR MAINTENANCE. SUBJECT IN CLOSE PROXIMITY TO SHOPPING, SCIENCE CENTRAL, PARKS AND MEDICAL & DENTAL FACILITIES.
Market Conditions (including support for the above conclusions) ACCORDING TO THE INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT, THE JOBLESS RATE IN FORT WAYNE IS 4.4%. THERE IS AN AVERAGE NUMBER OF SALES AND LISTING. AVERAGE DAYS ON MARKET FOR SOLD PROPERTIES IS 90-180 DAYS. CONVENTIONAL, FHA, VA FINANCING IS PREVALENT.

SITE

Dimensions 50 X 150 | Area 7,500 Sq.Ft. | Shape RECTANGULAR | View URBAN
Specific Zoning Classification R-1 | Zoning Description RESIDENTIAL
Zoning Compliance ☒ Legal ☐ Legal Nonconforming (Grandfathered Use) ☐ No Zoning ☐ Illegal (describe)
Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? ☒ Yes ☐ No If No, describe

Utilities	Public	Other (describe)		Public	Other (describe)	Off-site Improvements - Type	Public	Private
Electricity	☒	☐ ABOVE	Water	☒	☐	Street BRICK	☒	☐
Gas	☒	☐	Sanitary Sewer	☒	☐	Alley PAVE	☒	☐

FEMA Special Flood Hazard Area ☐ Yes ☒ No | FEMA Flood Zone X | FEMA Map # 18003CO145F | FEMA Map Date 11/5/2003
Are the utilities and off-site improvements typical for the market area? ☒ Yes ☐ No If No, describe
Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? ☐ Yes ☒ No If Yes, describe
LEGAL DESCRIPTION, LOT DIMENSIONS AND AGE FURNISHED BY ASSESSOR'S OFFICE. SEE ADDM. NO APPARENT ADVERSE EASEMENTS OR ENCROACHMENTS NOTED. SUBJECT'S SITE IS TYPICAL OF MANY SITES IN THIS AREA.

IMPROVEMENTS

General Description		Foundation		Exterior Description	materials/condition	Interior	materials/condition
Units	☒ One ☐ One with Accessory Unit	☐ Concrete Slab	☐ Crawl Space	Foundation Walls	BRICK/AVG	Floors	CPT/SUBF/POOR
# of Stories	TWO	☒ Full Basement	☐ Partial Basement	Exterior Walls	VINYL/AVG	Walls	PLASTER/AVG
Type	☒ Det. ☐ Att. ☐ S-Det./End Unit	Basement Area	828 sq.ft.	Roof Surface	COMP/SHING./AVG	Trim/Finish	WD/PAINTED/AVG
☒ Existing	☐ Proposed ☐ Under Const.	Basement Finish	0 %	Gutters & Downspouts	ALUMINUM/AVG	Bath Floor	WD/SUBF/FAIR
Design (Style)	2-STORY/AVG.	☐ Outside Entry/Exit	☐ Sump Pump	Window Type	DH/WOOD/AVG	Bath Wainscot	FIBERGLASS/AVG
Year Built	1910	Evidence of ☐ Infestation		Storm Sash/Insulated	STORMS/AVG	Car Storage	☐ None
Effective Age (Yrs)	65-70	☐ Dampness	☐ Settlement	Screens	SCREENS/AVG	☒ Driveway	# of Cars 1
Attic	☐ None	Heating ☒ FWA	☐ HWBB ☐ Radiant	Amenities	☐ Woodstove(s) #	Driveway Surface	UNKNOWN
☐ Drop Stair	☐ Stairs	☒ Other WNDW	Fuel GAS	☐ Fireplace(s) #	☐ Fence	☒ Garage	# of Cars 1
☐ Floor	☒ Scuttle	Cooling	☐ Central Air Conditioning	☒ Patio/Deck	☒ Porch	☐ Carport	# of Cars
☐ Finished	☐ Heated	☐ Individual	☐ Other	☐ Pool	☐ Other	☐ Att.	☒ Det. ☐ Built-in

Appliances ☐ Refrigerator ☐ Range/Oven ☐ Dishwasher ☐ Disposal ☐ Microwave ☐ Washer/Dryer ☒ Other (describe) FAN/HOOD
Finished area above grade contains: 7 Rooms | 4 Bedrooms | 2 Bath(s) | 1,401 Square Feet of Gross Living Area Above Grade
Additional features (special energy efficient items, etc.). ONE

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). SUBJECT IN OVERALL AVERAGE CONDITION. SEE ADDENDUM FOR REPAIRS. AVERAGE QUALITY ORIGINAL CONSTRUCTION. NO SIGNIFICANT FUNCTIONAL OR EXTERNAL OBSOLESCENCE NOTED.

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? ☐ Yes ☒ No If Yes, describe

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? ☒ Yes ☐ No If No, describe

Uniform Residential Appraisal Report

151-521323
File # 151-521323

There are 24 comparable properties currently offered for sale in the subject neighborhood ranging in price from $ 27,950 to $ 75,000

There are 47 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from $ 25,000 to $ 65,000

SALES COMPARISON APPROACH

FEATURE	SUBJECT	COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3	
Address	802 WAGNER STREET FORT WAYNE, IN 46805	639 RIVERSIDE DRIVE FORT WAYNE, IN. 46805		1005 TENNESSEE AVENUE FORT WAYNE, IN. 46805		1210 RIVERMET AVENUE FORT WAYNE, IN. 46805	
Proximity to Subject		0.28 MILE		0.26 MILE		0.32 MILE	
Sale Price	$ N/A		$ 58,420		$ 55,000		$ 58,000
Sale Price/Gross Liv. Area	$ N/A sq.ft.	$ 39.74 sq.ft.		$ 33.87 sq.ft.		$ 35.45 sq.ft.	
Data Source(s)		MLS CLOSED# 2507833		MLS CLOSED# 2512318		MLS CLOSED# 2506314	
Verification Source(s)		EXTERIOR INSPECTION		EXTERIOR INSPECTION		EXTERIOR INSPECTION	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment	DESCRIPTION	+(-) $ Adjustment
Sales or Financing Concessions		CONV/DOM-20 NONE		VA/DOM-34 NONE		CASH/DOM-34 NONE	
Date of Sale/Time		8/11/2005		11/16/2005		8/22/2005	
Location	NC FT. WAYNE	SIMILAR		SIMILAR		SIMILAR	
Leasehold/Fee Simple	FEE SIMPLE	FEE SIMPLE		FEE SIMPLE		FEE SIMPLE	
Site	50 X 150	40 X 140		40 X 150		45 X 150	
View	URBAN	SIMILAR		SIMILAR		SIMILAR	
Design (Style)	2-STORY/AVG.	2-STORY/AVG.		2-STORY/AVG.		2-STORY/AVG.	
Quality of Construction	VINYL/AVG	VINYL/AVG		ALM/AVG.		ALM/AVG.	
Actual Age	95	85		81		95	
Condition	FAIR	AVERAGE		AVERAGE		AVERAGE	
Above Grade Room Count (Total / Bdrms. / Baths)	7 / 4 / 2	7 / 3 / 1	+1,000	9 / 4 / 2		6 / 3 / 1	+1,000
Gross Living Area	1,401 sq.ft.	1,470 sq.ft.	-690	1,624 sq.ft.	-2,230	1,636 sq.ft.	-2,350
Basement & Finished Rooms Below Grade	828 Sq.Ft. UNFINISHED	560 SQ. FT. UNFINISHED		616 SQ. FT. UNFINISHED		FULL BSMT UNFINISHED	
Functional Utility	AVERAGE	SIMILAR		SIMILAR		SIMILAR	
Heating/Cooling	GAS/F/A/WND	GAS/F/A/CA	-1,500	GAS/F/A/CA	-1,500	GAS/F/A/CA	-1,500
Energy Efficient Items	STANDARD	SIMILAR		SIMILAR		SIMILAR	
Garage/Carport	1 CAR DET.	2 CAR DET.	-800	1 CAR DET.		1 CAR DET.	
Porch/Patio/Deck	PORCH/DECK	PORCH/PATIO		PORCH/NONE	+500	PORCH/PATIO	
FIREPLACE	NONE	NONE		FIREPLACE	-500	NONE	
CDST TO CURE	COST/CURE	COST/CURE	-5,500	COST/CURE	-5,500	COST/CURE	-5,500
Net Adjustment (Total)		☐ + ☒ -	$ 7,490	☐ + ☒ -	$ 9,230	☐ + ☒ -	$ 8,350
Adjusted Sale Price of Comparables		Net 12.8 % Gross 16.2 %	$ 50,930	Net 16.8 % Gross 18.6 %	$ 45,770	Net 14.4 % Gross 17.8 %	$ 49,650

I ☒ did ☐ did not research the sale or transfer history of the subject property and comparable sales. If not, explain

My research ☐ did ☒ did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s) MLS

My research ☒ did ☐ did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.

Data Source(s) MLS COMP # 3 FHA REO SALE 2/2/2005

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	COMPARABLE SALE #1	COMPARABLE SALE #2	COMPARABLE SALE #3
Date of Prior Sale/Transfer	5/30/1997	1/8/1997	4/18/1995	2/2/2005
Price of Prior Sale/Transfer	N/A	N/A	N/A	N/A
Data Source(s)	MLS	MLS	MLS	MLS
Effective Date of Data Source(s)	12/15/2005	12/15/2005	12/15/2005	12/15/2005

Analysis of prior sale or transfer history of the subject property and comparable sales SEE GRID ABOVE.

Summary of Sales Comparison Approach COMP # 3 WAS A FHA REO SALE USED IN THIS REPORT. COMP # 2 NET EXCEEDED RECOMMENDED GUILDLINES BUT STILL CONSIDERED GOOD INDICATOR OF VALUE. ALL OF THE COMPS WERE GIVEN CONSIDERATION BUT MOST WEIGHT GIVEN COMP # 2 SIMILAR APPEAL AS SUBJECT PROPERTY. AS IS VALUE $46,000. AS REPAIRED VALUE $55,000.

Indicated Value by Sales Comparison Approach $ 46,000

RECONCILIATION

Indicated Value by: Sales Comparison Approach $ 46,000 **Cost Approach (if developed) $** 10,500 **Income Approach (if developed) $** N/A

MOST WEIGHT GIVEN MARKET APPROACH DUE TO AGE OF HOME, MAKING COST APPROACH LESS RELIABLE. DUE TO LACK OF RENTAL DATA, THE INCOME APPROACH IS NOT APPROPRIATE. THE MARKET APPROACH IS GENERALLY CONSIDERED THE MOST APPROPRIATE INDICATOR OF VALUE.

This appraisal is made ☒ "as is", ☐ subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, ☐ subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or ☐ subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair: NO LIABILITY IS ASSUMED FOR ANY STRUCTURAL OR MECHANICAL DEFICIENCIES, IF ANY.

Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is $ 46,000 **, as of** 12/15/2005 **, which is the date of inspection and the effective date of this appraisal.**

Form 1004 — "TOTAL for Windows" appraisal software by a la mode, Inc. — 1-800-ALAMODE

Uniform Residential Appraisal Report

151-521323
File # 151-521323

21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.

2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.

3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.

4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.

5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER LARRY L. McCHESSNEY

Signature Larry L. McChesney

Name LARRY L. McCHESSNEY IFA

Company Name McCHESSNEY APPRAISAL SERVICES

Company Address 4210 WILLAPA WAY FORT WAYNE IN. 46845

Telephone Number 260-482-6463

Email Address lmc275@comcast.net

Date of Signature and Report December 17, 2005

Effective Date of Appraisal 12/15/2005

State Certification # CR60400324

or State License #

or Other (describe) _____ State # _____

State IN

Expiration Date of Certification or License 6/30/2008

ADDRESS OF PROPERTY APPRAISED

802 WAGNER STREET

FORT WAYNE, IN 46805

APPRAISED VALUE OF SUBJECT PROPERTY $ 46,000

LENDER/CLIENT

Name HUD/HMBI

Company Name HMB INC./HUD

Company Address 8600 WEST BRYN MAWR AVENUE SUITE 600 SOUTH, CHICAGO, IL 60631

Email Address GCAINE@HMBIREO.COM

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____

Name _____

Company Name _____

Company Address _____

Telephone Number _____

Email Address _____

Date of Signature _____

State Certification # _____

or State License # _____

State _____

Expiration Date of Certification or License _____

SUBJECT PROPERTY

☐ Did not inspect subject property

☐ Did inspect exterior of subject property from street
Date of Inspection _____

☐ Did inspect interior and exterior of subject property
Date of Inspection _____

COMPARABLE SALES

☐ Did not inspect exterior of comparable sales from street

☐ Did inspect exterior of comparable sales from street
Date of Inspection _____

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE CITY'S WATERWORKS, ISSUANCE OF ADDITIONAL REVENUE BONDS BY THE CITY OF FORT WAYNE, INDIANA, TO PROVIDE FUNDS FOR THE COSTS THEREOF, AND AUTHORIZING THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH WATERWORKS AND OTHER RELATED MATTERS

WHEREAS, the City of Fort Wayne, Indiana (the "City"), has heretofore established and constructed and currently owns and operates a waterworks (the "Waterworks"), by and through its Board of Public Works (the "Board") pursuant to the provisions of Indiana Code 8-1.5, as amended (the "Act"); and

WHEREAS, the Board has represented to the Council and the Council has determined that certain improvements to the Waterworks, as described herein, are necessary in order to serve adequately and protect and promote the public health, welfare and property of the inhabitants of the City; and

WHEREAS, this Council hereby finds that certain improvements to the Waterworks are necessary and that plans, specifications, detailed descriptions and estimates of the costs of the necessary improvements to the Waterworks, which plans, specifications, descriptions and estimates, to the extent required by law, have been or will be duly submitted to and approved by all governmental authorities having jurisdiction thereover (the improvements to the Waterworks as described in such plans and specifications are referred to herein as the "Project"); and

WHEREAS, this Council further finds that the estimates prepared with respect to the cost of the Project, including all authorized expenses relating thereto, including the allocable portion of the costs of issuance of bonds on account of the financing of all or a portion thereof, will be in an estimated amount of not to exceed Thirty-one Million Nine Hundred Thousand and 00/100 Dollars ($31,900,000.00); and

WHEREAS, this Council hereby finds that in order to provide funds to finance the Project and authorized expenses relating thereto, including issuance costs in connection with the issuance of such revenue bonds, it will be necessary for the City to issue revenue bonds in an amount not to exceed Thirty-one Million Nine Hundred Thousand and 00/100 Dollars ($31,900,000.00) payable solely from the revenues of the Waterworks, pursuant to the Act, and to authorize the sale of such revenue bonds by public sale, subject to the terms and conditions hereinafter set forth; and

WHEREAS, pursuant to Ordinance No. S-79-96, adopted by the Council on November 12, 1996 (the "1997 Ordinance"), the City has heretofore issued its waterworks revenue bonds (the "1997 Bonds"), payable from the net revenues of the Waterworks, outstanding, as of the adoption of this Ordinance, in the aggregate principal amount of Three Million Five Hundred Seventy-five Thousand and 00/100 Dollars ($3,575,000.00), bearing interest at per annum rates ranging from 4.70% to 4.75%, maturing annually on December 1 in the years 2006 to 2011 inclusive; and

WHEREAS, pursuant to Ordinance No. S-106-02, adopted by the Common Council on August 27, 2002 (the "2002 Ordinance"), the City has heretofore issued its waterworks refunding revenue bonds (the "2002 Bonds"), payable from the net revenues of the Waterworks, outstanding as of the adoption of this Ordinance, in the aggregate principal amount

of One Million One Hundred Fifty Thousand and 00/100 Dollars ($1,150,000.00), bearing interest at three percent (3.0%) per annum, maturing on December 1, 2006; and

WHEREAS, pursuant to Ordinance No. S-127-02, adopted by the Common Council on October 22, 2002 (the "2003 Ordinance"), the City has heretofore issued its waterworks revenue bonds (the "2003 Bonds"), payable from the net revenues of the Waterworks, outstanding as of the adoption of this Ordinance, in the aggregate principal amount of Four Million Eight Hundred Sixty-five Thousand and 00/100 Dollars ($4,865,000.00), bearing interest at per annum rates ranging from 2.00% to 4.25%, maturing annually on December 1 in the years 2006 to 2017 inclusive; and

WHEREAS, pursuant to Ordinance No. S-72-04, adopted by the Common Council on August 24, 2004 (the "2005 Ordinance" and with the 1997 Ordinance, the 2002 Ordinance, and the 2003 Ordinance, the "Prior Ordinances"), the City has heretofore issued its waterworks revenue bonds (the "2005 Bonds", and with the 1997 Bonds, the 2002 Bonds, and the 2003 Bonds, the "Prior Bonds"), payable from the net revenues of the Waterworks, outstanding as of the adoption of this Ordinance, in the aggregate principal amount of Sixteen Million Seven Hundred Thousand and 00/100 Dollars ($16,700,000.00), bearing interest at per annum rates ranging from 3.000% to 4.125%, maturing annually on December 1 in the years 2007 to 2019 inclusive; and

WHEREAS, under the Prior Ordinances, the City reserved the right to authorize and issue additional bonds, payable out of the net revenues of its Waterworks, ranking on a parity with the Prior Bonds; and

WHEREAS, Crowe Chizek and Company LLC, Financial Advisor to the City (the "Financial Advisor"), has been employed by the Board, have analyzed the records and

finances of the Waterworks, and have submitted preliminary evidence and findings demonstrating compliance with the conditions set forth in the Prior Ordinances for the issuance of additional revenue bonds payable out of the revenues of the Waterworks and ranking on a parity with the Prior Bonds; and

WHEREAS, subject to the provisions of the immediately preceding paragraph, this Council now finds that all conditions precedent to the adoption of an ordinance, authorizing the issuance of additional bonds ranking on a parity with the Prior Bonds for the purpose of financing the cost of the Project and the authorized costs relating thereto, have been complied with in accordance with the provisions of the Prior Ordinances, the Act and the Refunding Law; and

WHEREAS, the Council consequently seeks to authorize the issuance of the revenue bonds on a parity with the Prior Bonds to finance the Project pursuant to the Act and the sale of such revenue bonds, pursuant to the provisions of the Act and the sale of such revenue bonds to the Indiana Bond Bank (the "Bond Bank") pursuant to the provisions of Indiana Code 5-1.5, the Indiana Finance Authority (the "Authority") as part of its drinking water loan program established and existing pursuant to Indiana Code 4-4-11 and Indiana Code 13-18-21 (the "SRF Program"), or at public sale pursuant to the provisions of Indiana Code 5-1-11, subject to and dependent upon the terms and conditions hereinafter set forth; and

WHEREAS, the City expects to enter into a Financial Assistance Agreement (as hereinafter defined) with the Authority, pertaining to the Project and the financing thereof under the SRF Program;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. Acquisition and Installation of the Project. The City, being the owner of and engaged in operating the Waterworks hereby orders, authorizes and directs the Board to proceed with the acquisition and installation of the Project, pursuant to the Act and in accordance with the plans, specifications, descriptions and estimates heretofore or hereafter prepared at the direction of and filed with the Board, which plans, specifications, descriptions and estimates submitted to this meeting are hereby adopted and approved and, by reference, incorporated fully in this Ordinance, and to finance a portion of the costs of the Project through the issuance of waterworks revenue bonds pursuant to and in the manner described by the Act and this Ordinance, which revenue bonds shall be payable solely out of the revenues of the Waterworks in accordance with the Act and this Ordinance. The actions of the Board in connection with the acquisition and financing of the Project are hereby authorized, approved, ratified and confirmed. Where used in this Ordinance, the term "City" shall be construed also to include any department, board (including the Board), commission, officer or officers of the City or of any such department, board or commission. The terms "Waterworks," "waterworks," "water system," and similar terms used in this Ordinance, shall be construed to mean the "Drinking Water System," as defined in the Financial Assistance Agreement and includes the City's existing water distribution system, and all real estate and equipment used in connection therewith and appurtenances thereto, and all extensions, additions and improvements thereto and replacements thereof, hereafter constructed or acquired, whether from the proceeds of the bonds authorized herein or otherwise.

Section 2. Description of the Project. The Project is more fully described in, and shall be in accordance with the Preliminary Engineering Report and the Plans and Specifications (each as defined in the Financial Assistance Agreement) approved as part of the requirements of

the SRF Program. The Project generally consists of certain improvements to the waterworks system of the City, specifically: (i) to increase reliability and performance of our high speed finished water pumping by the installation of a new pump wet well to access more finished water, upgrading to more efficient pumps and construction of new pump and electrical buildings, (ii) to improve reliability and performance of our St Joe Dam pumping through the purchase and installation of an emergency power generator and new pumps, update the electrical configuration and construct a building to house these improvements, and (iii) several other waterworks projects including but not limited to: a) design of a second finished water reservoir, b) improvements to the lime removal equipment, piping and controls, c) improvements to the water filtering equipment, piping and controls, and d) various water main improvements including installation of a section of transmission main and replacements of the most problematic water mains throughout the City (collectively, the "Project"), along with other such plant improvement and main replacement projects.

The City, acting by and through the Board, shall proceed with the design and/or acquisition, construction and installation of the Project and shall enter into all contracts necessary or appropriate for such purpose, in conformity with and subject to the requirements and conditions set forth in this Ordinance and in the Act.

Section 3. The Bonds. In accordance with the Act and for the purpose of providing funds with which to pay all or a portion of the costs of the Project, together with authorized expenses relating thereto including the costs of issuance of the Bonds, the City shall issue and sell its waterworks revenue bonds pursuant to the provisions of the Act and this Ordinance, which bonds shall be payable on a parity with the Prior Bonds solely out of the Waterworks Sinking Fund described herein.

Any other provisions of this Ordinance to the contrary notwithstanding, the Bonds (defined herein) shall be issued on a parity with the outstanding Prior Bonds, and none of the provisions of this Ordinance shall be construed to affect the rights of the holders of the outstanding Prior Bonds. The Controller of the City (the "Controller") is authorized to employ the Financial Advisor, to perform any and all computations necessary to confirm the preliminary evidence and findings demonstrating compliance with the conditions set forth in the Prior Ordinances for the issuance of additional revenue bonds on a parity with the outstanding Prior Bonds. The City shall not issue the Bonds without first receiving a certificate from the Financial Advisor in form and substance satisfactory to the Controller and to the effect that the City and the Waterworks are in complete compliance with the conditions set forth in the Prior Ordinances for the issuance of additional revenue bonds on a parity with the outstanding Prior Bonds.

The bonds authorized by this Ordinance shall be designated as "City of Fort Wayne, Indiana, Waterworks Revenue Bonds of 200__" (the "Bonds") (with the blank to be filled in at the time of issuance), and shall be in an aggregate principal amount not to exceed Thirty-one Million Nine Hundred Thousand and 00/100 Dollars ($31,900,000.00).

The Bonds shall be issued as fully registered bonds in denominations of Five Thousand Dollars ($5,000) and any integral multiple thereof not exceeding the aggregate principal amount of the Bonds maturing in any one year or in the event the Bonds are sold to the Bond Bank or to the Authority pursuant to Section 9 of this Ordinance, shall be in multiples of One Dollar ($1.00). The Bonds shall be numbered consecutively from 0__R-1 upward with the blank to be completed at the time of issuance) and shall bear interest at a rate or rates not exceeding eight percent (8.0%) per annum (or at such rate as provided in the Purchase Agreement (as hereinafter defined), if the bonds are sold to the Bond Bank, or as provided in the

Financial Assistance Agreement if the Bonds are sold to the Authority), the exact rate or rates to be determined by negotiation with the Bond Bank or the Authority or by bidding. Said interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). All Bonds maturing on the same date shall bear the same rate of interest, and the interest rate on Bonds of a given maturity must be at least as great as the interest rate on Bonds of any earlier maturity. Interest on the Bonds shall be calculated on the basis of twelve (12) thirty (30)-day months for a three hundred and sixty (360)-day year and such interest shall be payable semiannually on June 1 and December 1 of each year, beginning on the June 1 or December 1 immediately following the date of issuance of the Bonds (each an "Interest Payment Date") or such later date as may be set forth (i) in the Issuer's Certificate (defined herein) with the advice of the financial advisor to the City, if the Bonds are sold by public bidding; or (ii) by negotiation with the Bond Bank or the Authority (if the latter, as provided in the Financial Assistance Agreement between the City and the Authority (the "Financial Assistance Agreement")), until principal is fully paid. The principal of the Bonds shall mature serially beginning December 1, 2007, or such later date as may be set forth in the Issuer's Certificate if the Bonds are sold by public bidding or as set forth in the Financial Assistance Agreement over a period ending no later than fifteen (15) years from the date of issuance of the Bonds in such amounts that will produce as level annual debt service as practicable, taking into consideration the Prior Bonds, and in the years and amounts to be determined by negotiation with the Bond Bank or the Authority as set forth in the Issuer's Certificate if the Bonds are sold by public bidding. The final principal maturity schedule for the Bonds shall be determined by negotiation with the Bond Bank or the Authority or certified by the Controller of the City (the "Controller") based on the advice of the

Financial Advisor, and to be set forth in a written certificate of the Controller (the "Issuer's Certificate") if the Bonds are sold by public bidding prior to the sale of the Bonds.

If the Bonds are sold by public bidding, at the option of the purchaser of the Bonds, the Bonds may be aggregated into one or more term bonds payable from mandatory sinking fund redemption payments (the "Term Bonds") required to be made as set forth below. The Bonds shall have a stated maturity or maturities of December 1 in the years in which the Bonds are outstanding as determined herein (unless as otherwise provided in the Financial Assistance Agreement), and shall be subject to mandatory sinking fund redemption prior to maturity at a redemption price equal to 100% of the principal amount thereof, plus accrued interest to the redemption date, but without premium, on December 1 of each year and in the principal amount corresponding to and consistent with the principal maturity schedule determined as set forth above.

The Registrar and Paying Agent (as defined herein) shall credit against any mandatory sinking fund requirement for the Term Bonds, any Bonds of such maturity delivered to the Registrar and Paying Agent for cancellation or purchased for cancellation by the Registrar and Paying Agent and cancelled by the Registrar and Paying Agent and not theretofore applied as a credit against any mandatory sinking fund requirement. Each Bond so delivered or purchased shall be credited by the Registrar and Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund requirements for the applicable Term Bond in inverse order of mandatory sinking fund redemption dates, and the principal amount of such Term Bond to be redeemed on such mandatory sinking fund redemption dates by operation of the mandatory sinking fund requirements shall be reduced accordingly; provided, however, the Registrar and Paying Agent shall only credit Bonds against the mandatory sinking fund requirements to the

extent such Bonds are received on or before 45 days preceding the applicable mandatory sinking fund redemption date.

Notice of any such mandatory sinking fund redemption shall be given in the same manner as notice of optional redemption is required to be given pursuant to Section 6 of this Ordinance. In the event any of the Bonds are issued as Term Bonds, the form of the Bond set forth in Appendix A of this Ordinance shall be modified accordingly. Any reference to payment of principal on Bonds shall include payment of scheduled mandatory sinking fund redemption payments.

The Bonds shall bear an original issue date which shall be the first day of the month in which the Bonds are sold or delivered (unless otherwise provided in the Issuer's Certificate), and each Bond shall also bear the date of its authentication. Any Bond authenticated on or before the fifteenth (15^{th}) day of the calendar month immediately preceding the first Interest Payment Date shall pay interest from its original issue date (unless otherwise provided in the Financial Assistance Agreement in the event the Bonds are sold to the Authority). Any Bond authenticated thereafter shall pay interest from the Interest Payment Date next preceding the date of authentication of such Bond to which interest thereon has been paid or duly provided for, unless such Bond is authenticated after the day which is fifteen (15) days prior to the Interest Payment Date and on or before such Interest Payment Date, in which case interest thereon shall be paid from such Interest Payment Date.

In the event that the Bonds are sold to the Authority pursuant to Section 10 of this Ordinance, it is understood that principal shall not be payable and interest shall not accrue on the Bonds until such principal amount has been advanced pursuant to requests made by the City to the Authority, with advances to be allocable to the Bonds in order of maturity. In the event that

the total principal amount of the Bonds is not advanced to the City, the principal amount of the Bonds shall be reduced to effect such reduction in a manner that will still achieve as level annual debt service as practicable, taking into consideration the Prior Bonds, as approved by the Authority in the event it shall have purchased the Bonds.

Section 4. Registrar and Paying Agent; Payment on Bonds. The Controller is hereby authorized to appoint a registrar and paying agent for the Bonds (the "Registrar" and the "Paying Agent" and, in both such capacities, the "Registrar and Paying Agent"). The Registrar and Paying Agent shall be charged with and shall by appropriate agreement undertake the performance of all of the duties and responsibilities customarily associated with each such position, including without limitation, the authentication of the Bonds. The Controller is further authorized and directed to enter into such agreements and understandings with the Registrar and Paying Agent as will enable and facilitate the performance of its duties and responsibilities, and is authorized and directed to pay such fees as the Registrar and Paying Agent may reasonably charge for its services in such capacity, with such fees to be paid from the Waterworks Bond Sinking Fund as described in this Ordinance.

If the Bonds are registered in the name of the Authority, the Bond Bank or any other purchaser that does not object to such designation, the Controller shall be designated as the Registrar and Paying Agent and shall be charged with the performance of all of the duties and responsibilities of Registrar and Paying Agent.

The Registrar and Paying Agent, if not the Controller, may at any time resign as Registrar and Paying Agent upon giving thirty (30) days' notice in writing to the City and by first-class mail to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor

Registrar and Paying Agent by the City. Any such notice to the City may be served personally or sent by registered mail. The Registrar and Paying Agent may also be removed at any time as Registrar and Paying Agent by the City, in which event the City may appoint a successor Registrar and Paying Agent. The City shall notify each registered owner of Bonds then outstanding by first-class mail of the removal of the Registrar and Paying Agent. Notices to registered owners of the Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar. Any predecessor Registrar and Paying Agent shall deliver all of the Bonds and cash in its possession with respect thereto, together with the registration books, to the successor Registrar and Paying Agent. The Controller is hereby authorized to act on behalf of the City with regard to any of the aforementioned actions of the City relating to the resignation or removal of the Registrar and Paying Agent and appointment of a successor Registrar and Paying Agent.

Principal of and any redemption premium on the Bonds shall be payable at the principal corporate trust office of the Paying Agent. Interest on the Bonds shall be paid by check or draft mailed or delivered by the Paying Agent to the registered owner thereof at the address as it appears on the registration books kept by the Registrar as of the last day of the month immediately preceding the Interest Payment Date or at such other address as may be provided to the Paying Agent in writing by such registered owner. Notwithstanding the foregoing, principal of and interest on the Bonds, if registered in the name of the Authority or the Bond Bank, shall be paid by wire transfer to a financial institution if and as directed by the Authority or the Bond Bank, as the case may be, on the due date of such payment or, if such date is a day when financial institutions are not open for business, on the business day immediately preceding such

due date. So long as the Authority or the Bond Bank is the registered owner of the Bonds, the Bonds shall be presented for payment as directed by the Authority or the Bond Bank, as applicable. All payments on the Bonds shall be made in any coin or currency of the United States of America which, on the dates of such payments, shall be legal tender for the payment of public or private debt.

Section 5. Transfer and Exchange of Bonds; Book-Entry. Each Bond shall be transferable or exchangeable only on the registration books of the City maintained for such purpose at the principal corporate trust office of the Registrar, by the registered owner thereof in person, or by his or her attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his or her attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. Each Bond may be transferred or exchanged without cost to the registered owner or his or her attorney duly authorized in writing, except for any tax or other governmental charge which may be required to be paid with respect to such transfer or exchange. The Registrar shall not be obligated to make any transfer or exchange of any Bond (i) during the fifteen (15) day period immediately preceding an Interest Payment Date or (ii) after the mailing of notice calling such Bond for redemption. The City, the Registrar and the Paying Agent may treat and consider the person in whose name any Bond is registered as the absolute owner thereof for all purposes including the purpose of receiving payment of, or on account of, the principal thereof, redemption premium, if any, and interest thereon.

In the event any Bond is mutilated, lost, stolen or destroyed, the City may cause to be executed and the Registrar may authenticate a new Bond of like date, maturity and denomination as the mutilated, lost, stolen or destroyed Bond, which new Bond shall be marked in a manner to distinguish it from the Bond for which it was issued; provided, that in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed Bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the City and the Registrar, together with indemnity satisfactory to them. In the event that any such mutilated, lost, stolen or destroyed Bond shall have matured or been called for redemption, instead of causing to be issued a duplicate Bond, the Registrar and Paying Agent may pay the same upon surrender of the mutilated Bond or upon satisfactory indemnity and proof of loss, theft or destruction in the case of a lost, stolen or destroyed Bond. The City and the Registrar and Paying Agent may charge the owner of any such Bond with their reasonable fees and expenses in connection with the above. Every substitute Bond issued by reason of any Bond being lost, stolen or destroyed shall, with respect to such Bond, constitute a substitute contractual obligation of the City pursuant to this Ordinance, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other Bonds duly issued hereunder.

In the event that any Bond is not presented for payment or redemption on the date established therefor, the City may deposit in trust with the Paying Agent an amount sufficient to pay such Bond or the redemption price thereof, as appropriate, and thereafter the owner of such Bond shall look only to the funds so deposited in trust with the Paying Agent for payment and the City shall have no further obligation or liability with respect thereto.

If the Bonds are sold by public bidding, the Bonds shall initially be issued and held in book-entry form on the books of the central depository system, The Depository Trust Company, its successors, or any successor central depository system appointed by the City from time to time (the "Clearing Agency"). The City and the Registrar and Paying Agent may, in connection therewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to accomplish or recognize such book-entry form Bonds.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency (1) any such Bond may be registered upon the books kept by the Registrar and Paying Agent in the name of such Clearing Agency, or any nominee thereof, including CEDE & Co., as nominee of The Depository Trust Company; (2) the Clearing Agency in whose name such Bond is so registered shall be, and the City and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of and interest on such Bond, the receiving of notice, and the giving of consent; (3) neither the City nor the Registrar and Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on behalf of which, or otherwise in respect of which, any such participant holds any interest in any Bond, including, without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any Bond or any responsibility or obligation hereunder with respect to the receiving of payment of principal, premium, if any, or interest on any Bond, the receiving of notice, or the giving of consent; (4) the Clearing Agency is not required to present any Bond called for partial

redemption prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed to the method for noting such partial redemption; and (5) payment of the principal of and interest on the Bonds may be made by wire transfer or other method acceptable to the Clearing Agency.

If either (i) the City receives notice from the Clearing Agency which is currently the registered owner of the Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the Bonds or (ii) the City elects to discontinue its use of such Clearing Agency as a Clearing Agency for the Bonds, then the City and the Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the Bonds and to transfer the ownership of each of the Bonds to such person or persons, including any other Clearing Agency, as the holder of the Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the Bonds, shall be paid by the City.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar and Paying Agent shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owners of the Bonds as of a record date selected by the Registrar and Paying Agent. For purposes of determining whether the consent, advice, direction or demand of a Registered Owner of the Bonds has been obtained, the Registrar and Paying Agent shall be entitled to treat the beneficial owners of the Bonds as the holders of the Bonds.

Section 6. Optional Redemption of the Bonds. The Bonds maturing on or after December 1, 2017, shall be subject to redemption at the option of the City, in whole or in part, upon thirty (30) days written notice, to the registered owner or owners of the Bonds to be redeemed, on December 1, 2016, or any date thereafter, in amounts and maturities and in order of maturities determined by the City and by lot within any such maturity or maturities by the Registrar, at a redemption price equal to the par amount thereof plus accrued interest to the redemption date and without premium.

Official notice of such redemption shall be mailed by the Registrar and Paying Agent by first class mail at least thirty (30) days prior to the scheduled redemption date to each of the registered owners of the Bonds called for redemption (unless waived by any such registered owner) at the address shown on the registration books of the Registrar and Paying Agent, or at such other address as is furnished in writing by such registered owner to the Registrar; provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any Bond shall not affect the validity of the proceedings for the redemption of any other Bonds. The notice shall specify the redemption price, the date and place of redemption, and the registration numbers (and, in case of partial redemption, the respective principal amounts) of the Bonds called for redemption. The place of redemption may be at the principal corporate trust office of the Registrar and Paying Agent or as otherwise determined by the City. Interest on the Bonds (or portions thereof) so called for redemption shall cease to accrue on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the redemption date and when such Bonds (or portions thereof) are presented for payment. Any Bond redeemed in part may be exchanged for

a Bond or Bonds of the same maturity in authorized denominations equal to the remaining principal amount thereof.

In addition to the foregoing notice, the City may also direct that further notice of redemption of the Bonds be given, including without limitation and at the option of the City, notice described in paragraph (a) below given by the Registrar and Paying Agent to the parties described in paragraphs (b) and (c) below. No defect in any such further notice and no failure to give all or any portion of any such further notice shall in any manner defeat the effectiveness of any call for redemption of Bonds so long as notice thereof is mailed as prescribed above.

(a) If so directed by the City, each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (i) the CUSIP numbers of all Bonds being redeemed; (ii) the date of issue of the Bonds as originally issued; (iii) the rate of interest borne by each Bond being redeemed; (iv) the maturity date of each Bond being redeemed; and (v) any other descriptive information needed to identify accurately the Bonds being redeemed.

(b) If so directed by the City, each further notice of redemption shall be sent at least thirty-five (35) days before the redemption date by registered or certified mail or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(c) If so directed by the City, each such further notice shall be published one time in The Bond Buyer of New York, New York or, if the Registrar believes such publication is impractical or unlikely to reach a substantial number of the

holders of the Bonds, in some other financial newspaper or journal which regularly carries notices of redemption of other obligations similar to the Bonds, such publication to be made at least thirty (30) days prior to the date fixed for redemption.

Upon the payment of the redemption price of the Bonds (or portions thereof) being redeemed and if so directed by the City, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds (or portions thereof) being redeemed with the proceeds of such check or other transfer.

Section 7. Execution and Authentication of the Bonds. The Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor countersigned by the manual or facsimile signature of the Controller and shall be attested by the manual or facsimile signature of the Clerk, with the seal of the City or a facsimile thereof to be affixed to each of the Bonds. The Bonds shall be authenticated by the manual signature of the Registrar, and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed. In case any official whose signature appears on any Bond shall cease to be such official before the delivery of such Bond, the signature of such official shall nevertheless be valid and sufficient for all purposes, the same as if such official had been in office at the time of such delivery. Subject to the provisions of this Ordinance regarding the registration of the Bonds, the Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

Section 8. Security and Sources of Payment for the Bonds. The Bonds, when fully paid for and delivered to the purchaser or purchasers thereof, together with any bonds hereafter issued on a parity therewith, as to both principal and interest, shall be valid and binding special revenue obligations of the City, payable from and secured by an irrevocable pledge of

and constituting a charge upon all of the net revenues (herein defined as gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance, but not including depreciation and payments in lieu of taxes) derived from the Waterworks on a parity basis with the Prior Bonds, and all additions and improvements thereto and replacements thereof subsequently constructed or acquired, and deposited to the Waterworks Sinking Fund. The City shall not be obligated to pay the Bonds or the interest thereon except from the net revenues of the Waterworks and the Bonds shall not constitute an indebtedness of the City within the meaning of the provisions and limitations of the constitution of the State of Indiana.

Section 9. Form of the Bonds. The form and tenor of the Bonds shall be substantially as set forth in Appendix A, attached hereto and incorporated herein as if set forth at this place (with all blanks to be properly completed prior to the preparation of the Bonds).

Section 10. Issuance, Sale and Delivery of the Bonds.

(a) Generally. The Controller is hereby authorized and directed to have the Bonds prepared, and the Mayor and the Controller are each hereby authorized and directed to execute and attest the Bonds in the form and manner herein provided. The Controller is hereby authorized and directed to deliver the Bonds to the purchaser or purchasers thereof after sale made in accordance with the provisions of the Act and this Ordinance, provided that at the time of said delivery the Controller shall collect the full amount which the purchaser or purchasers have agreed to pay therefor, which shall be not less than 99.0% of the par amount of the Bonds (or such higher percentage of the par value of the Bonds as the Controller, with the advice of the financial advisor of the City, shall determine), plus accrued interest thereon to the date of delivery, if any. The City may receive payment for the Bonds in installments. The proceeds derived from the sale

of the Bonds shall be and are hereby set aside for application to the costs of the Project, including all authorized costs relating thereto, including the costs of issuance of the Bonds. The authorized officers of the City are hereby authorized and directed to draw all proper and necessary warrants and to do whatever other acts and things that may be necessary or appropriate to carry out the provisions of this Ordinance.

(b) Issuance, Sale and Delivery of the Bonds.

(i) Public Sale. The Bonds may, in the discretion of the Controller, based upon the advice of the Financial Advisor, be sold by public sale. In the event the Bonds are sold by public sale, prior to the sale of the Bonds, the Controller shall cause to be published a notice of intent to sell two times at least one week apart in the Fort Wayne News Sentinel, the Fort Wayne Journal Gazette, and the Court & Commercial Record, a newspaper of general circulation published in Indianapolis, Indiana. The notice of such sale or a summary thereof may also be published in The Bond Buyer, a financial journal published in the City and State of New York and/or in other publications, in the discretion of the Controller. The notice must state that any person interested in submitting a bid for the Bonds may furnish in writing, at the address set forth in the notice, the person's name, address, and telephone number, and that any such person may also furnish a telex number. The notice must also state: (1) the amount of the Bonds to be offered; (2) the denominations; (3) the dates of maturity; (4) the maximum rate or rates of interest; (5) the place of sale; and (6) the time within which the name, address and telephone number must be furnished, which time must not be less than seven days after the last publication of the notice. Each person so

registered shall be notified of the date and time bids will be received not less than twenty-four (24) hours before the date and time of sale. The notification shall be made by telephone at the number furnished by the person, and also by telex if the person furnishes a telex number. Such notice may also include such other information as the Controller shall deem necessary. Such notice shall also provide, among other things, that each bid shall be accompanied by a certified or cashier's check or financial surety bond in an amount equal to one percent (1%) of the principal amount of the Bonds to guarantee performance on the part of the bidder, and that in the event the successful bidder shall fail or refuse to accept delivery of and pay for the Bonds as soon as the Bonds are ready for delivery, or at the time fixed in the notice of intent to sell, then such check or financial surety bond and the proceeds thereof shall become the property of the City and shall be considered as the City's liquidated damages on account of such default.

All bids for Bonds sold at public sale shall be sealed and shall be presented to the Controller at the Controller's office (or at such other place as the Controller shall designate), and the Controller shall continue to receive all bids offered until the time fixed for the sale of the Bonds, at which time and place the Controller shall open and consider each bid. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, not exceeding eight percent (8.0%) per annum. Such interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). Bids specifying more than one interest rate shall also specify the amount and maturities of the Bonds bearing each rate, and all Bonds maturing on the same date shall

bear the same rate of interest. The interest rate on Bonds of a given maturity must be at least as great as the interest rate on Bonds of any earlier maturity. Subject to the provisions set forth below, the Controller shall award the Bonds to the bidder offering the lowest net interest cost to the City, to be determined by computing the total interest on all of the Bonds from the date thereof to their maturities and deducting therefrom the premium bid, if any, or adding thereto the amount of any discount. No bid for less than 99.0% of the par value of the Bonds (or such higher percentage of the par value of the Bonds as the Controller, with the advice of the financial advisor to the City, shall determine prior to the publication of the notice of intent to sell), plus accrued interest at the rate or rates named to the date of delivery, will be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed for the sale of the Bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period not to exceed thirty (30) days, without readvertising, pursuant to Indiana law.

The Controller is hereby authorized to determine, in her discretion, to sell the Bonds pursuant to the general provisions of Indiana Code 5-1-11 (rather than Section 2(b) thereof), and in the event of such a determination, those portions of this Section 10 which conflict with such provisions shall be deemed inapplicable.

(ii) Sale to the Bond Bank. The Bonds may, in the discretion of the Controller, based upon the advice of the Financial Advisor, be sold to the Bond Bank. In the event of such determination, Bonds shall be sold to the Bond

Bank in such denomination or denominations as the Bond Bank may request, and pursuant to a qualified entity purchase agreement (the "Purchase Agreement") between the City and the Bond Bank, hereby authorized to be entered into and executed by the Mayor on behalf of the City, and attested by the Clerk, subsequent to the date of the adoption of this Ordinance. Such Purchase Agreement may set forth the definitive terms and conditions for such sale, but all of such terms and conditions must be consistent with the terms and conditions of this Ordinance, including without limitation, the interest rate or rates on the Bonds which shall not exceed the maximum rate of interest for the Bonds authorized pursuant to this Ordinance. Bonds sold to the Bond Bank shall be accompanied by all documentation required by the Bond Bank pursuant to the provisions of Indiana Code 5-1.5 and the Purchase Agreement, including, without limitation, an approving opinion of nationally recognized bond counsel, certification and guarantee of signatures and certification as to no litigation pending, as of the date of delivery of the Bonds to the Bond Bank, challenging the validity or issuance of the Bonds. In the event the Controller determines to sell the Bonds to the Bond Bank, the submission of an application to the Bond Bank and the entry by the City into the Purchase Agreement and the execution of the Purchase Agreement on behalf of the City by the Mayor in accordance with this Ordinance are hereby authorized, approved and ratified.

(iii) Sale to the Authority. The Bonds may, in the discretion of the Controller, based upon the advice of the Financial Advisor, be sold to the Authority as part of the SRF Program. The Mayor and the Controller are hereby

authorized to submit an application to the Authority for participation in the SRF Program. The Financial Assistance Agreement for the Bonds and the Project shall be executed by the City and the Authority. The substantially final form of Financial Assistance Agreement attached as Appendix B hereto and incorporated herein as if set forth in this place is hereby approved by the Common Council, and the Mayor and the Controller are hereby authorized to execute and attest, respectively, the same on behalf of the City, and to approve any changes in form or substance to the Financial Assistance Agreement, such approval to be conclusively evidenced by its execution and attestation. The Financial Assistance Agreement may set forth the definitive terms and conditions for such sale including the purchase price and interest rate, but all of such terms and conditions must be consistent with the terms and conditions of this Ordinance, including without limitation the interest rates on the Bonds which shall not exceed the maximum rate of interest for the Bonds authorized pursuant to this Ordinance. Bonds sold to the Authority shall be accompanied by all documentation required by the Authority pursuant to Indiana Code 13-18-21 and the Financial Assistance Agreement, including, without limitation, an approving opinion of a nationally recognized bond counsel, certification and guarantee of signatures and certification as to no litigation pending, as of the date of delivery of the Bonds to the Authority, challenging the validity or issuance of the Bonds. In the event the Controller determines to sell the Bonds to the Authority, the entry by the City into the Financial Assistance Agreement and the execution of the Financial Assistance Agreement by the Mayor, and, if required, the entry by the City into any

agreement with the Authority and the execution of thereof by the Mayor, in accordance with this Ordinance are hereby authorized, approved and ratified.

(c) Credit Enhancement; Opinion of Bond Counsel. Prior to the delivery of the Bonds, the Controller, subject to the direction of the Common Council, (i) shall be authorized to investigate, negotiate and obtain bond insurance, other forms of credit enhancement and/or credit ratings on the Bonds and (ii) shall obtain a legal opinion as to the validity of the Bonds from Baker & Daniels LLP, Fort Wayne, Indiana, bond counsel for the City, with such opinion or opinions to be furnished to the purchaser or purchasers of the Bonds at the expense of the City. The costs of obtaining any such insurance, other credit enhancement and/or credit ratings, together with bond counsel's fee in preparing and delivering such opinion or opinions and in the performance of related services in connection with the issuance, sale and delivery of the Bonds, shall be considered as a part of the cost of the Project and shall be paid out of the proceeds of the Bonds.

Section 11. Disposition of Proceeds of the Bonds and Moneys Presently Held and on Deposit in the Funds and accounts of the Waterworks. The proceeds from the sale of the Bonds shall be deposited and applied as follows:

(a) The accrued interest and premium received at the time of the delivery of the Bonds, if any, shall be deposited in the Waterworks Sinking Fund hereinafter defined and described.

(b) The remaining proceeds from the sale of the Bonds shall be deposited in a bank or banks which are legally qualified depositories for the funds of the City, in a special account or accounts to be designated as "City of Fort Wayne, 2006

Waterworks Construction Account" (hereafter called the "2006 Construction Account"). Amounts in the 2006 Construction Account shall be first used to repay all amounts advanced for preliminary expenses, if any, and thereafter shall be expended only for the purpose of paying the costs of the Project, as described in this Ordinance and in the Act, together with the incidental expenses incurred in connect with the Project and the allocable costs of issuance of the Bonds and as otherwise permitted or required by the Act. Any balance or balances remaining unexpended in the 2006 Construction Account after completion of the Project, which are not otherwise required to meet unpaid obligations incurred in connection with the acquisition and installation of the Project, shall be paid into the Waterworks Sinking Fund and shall be used solely for one or more of the purposes permitted thereunder. Pursuant to the Act, the owners of the Bonds shall be entitled to a lien on the proceeds of the Bonds until such proceeds are applied as required by this Ordinance and by Indiana law.

(c) Each of the funds and accounts of the Waterworks shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including, particularly, applicable provisions of Indiana Code 5-13-9, as amended. Any interest or income derived from any such investments shall become a part of the moneys in the fund or account so invested.

With respect to any Bonds sold to the Authority, to the extent that the total principal amount of the Bonds is not paid by the purchaser or drawn down by the City, the City shall reduce the principal amounts of the Bond maturities to effect such

reduction in a manner that will still achieve as level annual debt service as practicable, taking into consideration the Prior Bonds, as approved by the Authority.

Section 12. Collection of Revenues; Fund Operation, Repair and Maintenance. There shall be set apart and paid out of the gross revenues of the Waterworks into a cash operating fund previously established and continued hereby and designated as the Waterworks Operation and Maintenance Fund (the "Operation and Maintenance Fund") an amount necessary and sufficient to pay the monthly costs of operating, repairing and maintaining said Waterworks. The moneys credited to the Operation and Maintenance Fund shall be used for the payment of the reasonable and proper operation, repair and maintenance expenses of the Waterworks on a day-to-day basis, but none of the moneys in the Operation and Maintenance Fund shall be used for extensions, improvements, or additions. Payments in lieu of taxes shall be made not more frequently than semiannually on or about June 30 and December 31 and may be made only if the amounts required to be held as of such dates in the Sinking Fund pursuant to Section 13 are so held. Any balance in the Operation and Maintenance Fund may be transferred to the Sinking Fund if necessary to prevent a default in payment on the then outstanding Bonds.

Section 13. Sinking Fund for Bonds. The Waterworks Sinking Fund (the "Sinking Fund") previously established and continued hereby and designated and constituted as the special fund for the payment of the interest on and principal of revenue bonds which by their terms are payable from the net revenues of the Waterworks. The Sinking Fund shall be divided into two accounts hereby designated as the Waterworks Debt Service Account (the "Debt Service Account") and the Waterworks Reserve Account (the "Reserve Account").

There shall be set aside from the gross revenues of the Waterworks, after first making the required payments into the Operation and Maintenance Fund, and paid into the Debt

Service Account of the Sinking Fund monthly, as available, a sufficient amount of the net revenues of the Waterworks for the payment of (a) the interest on all bonds which by their terms are payable from the net revenues of said Waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying such bonds and interest, and (c) the principal of all bonds payable from the net revenues of the Waterworks, as such principal shall fall due. The monthly payments into said Debt Service Account shall be in an amount equal to at least one-sixth ($1/6^{th}$) of the amount required for interest during the next succeeding six (6) calendar months and an amount equal to one-twelfth ($1/12^{th}$) of the amount required for payments during the next succeeding twelve (12) calendar months for the hereinabove described purposes other than interest payments.

There shall be held in said Reserve Account an amount which equals the following with respect to the Prior Bonds, the Bonds and any additional bonds subsequently issued on a parity with the Prior Bonds and the Bonds (the "Reserve Requirement"): the lesser of 10% of the proceeds thereof, the maximum annual principal and interest requirements thereon, or 125% of the average annual principal and interest requirements thereon. The Reserve Requirement is hereby determined to be reasonable. All money in the Reserve Account shall be used and withdrawn by the City solely for the purpose of making payment on the Prior Bonds, the Bonds and any additional bonds subsequently issued on a parity with the Prior Bonds and the Bonds to the extent that available moneys in the Debt Service Account are insufficient for such purpose, or to make the final payments on such bonds when money in the Reserve Account, together with other money held in the Sinking Fund, is sufficient to make all remaining payments to final maturity, provided, notwithstanding the foregoing, amounts in the Reserve Account in excess of the Reserve Requirement shall be transferred from time to time to the Debt Service

Account and thereupon applied to the required payments into the Debt Service Account as provided in the preceding paragraph. In the event moneys held in the Reserve Account are used to pay principal of and interest on the Prior Bonds, the Bonds or any additional bonds subsequently issued on a parity with the Prior Bonds and the Bonds, then such depletion of said Reserve Account to an amount less than the Reserve Requirement shall be made up from available net revenues within twelve (12) months from substantially equal monthly deposits, after required deposits to the Debt Service Account, to restore the balance of the Reserve Account to an amount equal to the Reserve Requirement.

The Reserve Requirement, with respect to the Bonds, shall be deemed to be satisfied if there is on deposit in the Reserve Account, any surety bond, insurance policy, guaranty, letter of credit or other credit facility in any amount equal to the Reserve Requirement, the issuer of which credit facility is rated at least "AAA" by Standard & Poor's Ratings Group or "Aaa" by Moody's Investor Service.

Any excess revenues of the Waterworks available after making the deposits required by Sections 12 and 13 above may be used to provide or restore any debt service reserve account established to secure junior bonds issued as contemplated by Section 19(c).

In no event shall any part of the Sinking Fund be used in calling bonds for redemption prior to maturity except to the extent that the amount then in the Debt Service Account of the Sinking Fund exceeds the amount required to pay the bonds which will mature within a period of twelve (12) calendar months next following the date of such redemption, together with all interest on the bonds payable in said period. Any such excess of funds above said required level may also be used in purchasing outstanding bonds at a price less than the then

applicable redemption price, if first approved by the Common Council. Moneys in the Sinking Fund shall not be used for any purpose whatsoever except as stated in this section.

Notwithstanding anything in this Ordinance to the contrary, in the event the Bonds are sold to the Authority, the Reserve Requirement shall equal the maximum annual debt service on the outstanding bonds payable from the net revenues of the Waterworks. In such event, on each January 2 subsequent to the delivery of the Bonds, beginning January 2, 2007, the Controller shall decrease, if necessary, the amount on deposit in the Reserve Account so that the remaining amount on deposit equals the Reserve Requirement, provided that the City shall provide to the Authority fifteen (15) days prior written notice of any such intended transfer from the Reserve Account. In the event additional bonds payable from the net revenues of the Waterworks are hereafter issued on a parity with the Bonds, the Reserve Requirement shall be proportionately increased to equal maximum annual debt service on the Bonds and all bonds issued on a parity therewith; provided, that, if nationally recognized bond counsel is unable to provide an opinion that interest on such proposed additional parity bonds is excludable from gross income for federal income tax purposes as a result of the determination of the Reserve Requirement in the manner provided in this paragraph, then the City may, in order to allow such opinion to be issued, establish a separate reasonably required reserve fund that secures only the proposed parity bonds and shall expressly provide in the authorizing ordinance for such proposed parity bonds that the monies deposited in the Reserve Account hereby as a margin of safety for the payment of principal of and interest on the Bonds do not secure such proposed parity bonds.

Section 14. Funding Improvements to the Waterworks and Payments in Lieu of Taxes. Any excess revenues of the Waterworks available after making the deposits required by Sections 12 and 13 may be set aside and paid into the special utility fund which is hereby created

and designated as the Waterworks Depreciation Fund (the "Depreciation Fund"), and be used to pay the cost of additions, improvements and extensions to the Waterworks. No revenues of the Waterworks shall be deposited in or credited to the Depreciation Fund which will interfere with the requirements of the Sinking Fund.

In the event of any deficiency at any time in the Operation and Maintenance Fund or the Sinking Fund, funds may be withdrawn from the Depreciation Fund for deposit into said Operation and Maintenance Fund or Sinking Fund in the amount of such deficiency.

Section 15. Separation of Funds; Investment of Moneys Therein. The Waterworks Sinking Fund shall be deposited in and maintained as a separate bank account or accounts from all other bank accounts of the City. The Operation and Maintenance Fund and the Waterworks Depreciation Fund may be maintained in a single bank account, or accounts, but such bank account, or accounts, shall likewise be maintained separate and apart from all other bank accounts of the City and apart from the Waterworks Sinking Fund bank account or accounts. Each of the funds and accounts of the Waterworks shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including, particularly, applicable provisions of Indiana Code 5-13-9, as amended. Any interest or income derived from any such investments shall become a part of the moneys in the fund or account so invested, provided, however, that income derived from investment of moneys in the Reserve Account shall be deposited to the Waterworks Depreciation Fund.

Section 16. Books and Records of Waterworks. The City shall keep proper books of record and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from said works and deposited

in said funds, and all disbursements made therefrom on account of the operation of the works, and to meet the requirements on the Waterworks Sinking Fund, and all other financial transactions relating to said works. There shall be prepared and furnished, upon written request, to the original purchasers of the Bonds and to any subsequent owner of the Bonds at the time then outstanding, not more than four (4) months after the close of each fiscal year, complete financial statements of the works, covering the preceding fiscal year, which annual statements shall be certified by the Controller, or by licensed independent public accountants employed for that purpose. Copies of all such statements and reports shall be kept on file in the office of the Controller. Any owner or owners of at least $25,000 of the Bonds then outstanding shall have the right at all reasonable times to inspect the works and all records, accounts and data of the City relating thereto. Such inspections may be made by representatives duly authorized by written instrument.

If the Bonds are sold to the Authority, the City shall establish and maintain the books and other financial records of the Project (including the establishment of a separate account or subaccount for the Project) and the Waterworks in accordance with (i) generally accepted accounting standards for utilities, on an accrual basis, as promulgated by the Government Accounting Standards Board, and (ii) the rules, regulations, and guidance of the State Board of Accounts.

Section 17. Covenant With Respect to Rates and Charges. The City covenants and agrees, subject to the approval of the Indiana Utility Regulatory Commission and to the fullest extent permitted by law, that it will establish and maintain just and equitable rates or charges for the use of and the service rendered by said works, to be paid by the owner of each and every lot, parcel of real estate or building that is connected with and uses said waterworks by

or through any part of the water system of the City, or that in any way uses or is served by such works. Such rates or charges shall be sufficient in each year for the payment of the proper and reasonable expenses of Operation and Maintenance (as defined in the Financial Assistance Agreement), and for the payment of the sums required to be paid into the Waterworks Sinking Fund by the Act and this Ordinance. Such rates or charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation, repair and maintenance, and the requirements of the Waterworks Sinking Fund. The reasonable value of any facility or service rendered to the City, or to any department, agency or instrumentality thereof, including the use of water for hydrants for fire protection or for any other purpose, shall be charged against the City and shall be paid for as the charges accrue, and the payments so received shall be deemed to be earnings derived from the operation of the Waterworks and shall be used and accounted for in the same manner as other earnings derived from the operation of the Waterworks. In no event shall the annual gross revenues of the Waterworks after payment of the expenses of operation, repair and maintenance (but not including depreciation and payments in lieu of taxes) be less than one hundred and twenty percent (120%) of the annual interest and principal requirements of Prior Bonds and the Bonds and any additional bonds issued pursuant to Section 18 hereof. For these purposes, the interest rate on variable rate debt shall be assumed to be the average interest rate thereon in the preceding calendar year.

Section 18. Additional Bonds. The City reserves the right to authorize and issue additional bonds, payable out of the net revenues of its waterworks, ranking on a parity with the Bonds authorized by this Ordinance, for the purpose of financing the cost of future additions,

extensions and improvements to the waterworks, or to refund obligations, subject to the following conditions:

(a) All required payments into the Waterworks Sinking Fund shall have been made in accordance with the provisions of this Ordinance, and the interest on and principal of all bonds payable from the net revenues of the Waterworks shall have been paid to date in accordance with the terms thereof.

(b) As of the time of issuance of the additional parity bonds, the balance in the Reserve Account shall be at least equal to the Reserve Requirement for the Prior Bonds if any are then outstanding, the Bonds and all then outstanding bonds ranking on a parity therewith, provided, this condition shall be deemed satisfied if any required amount is to be provided from the proceeds of the newly issued parity bonds or other funds of the City, and furthermore, the ordinance authorizing the proposed additional parity bonds must include a provision requiring the City to build the balance in the Reserve Account to an amount equal to the Reserve Requirement for the proposed additional parity bonds, unless the Reserve Account is fully funded as of the time of issuance of the additional parity bonds, from available net revenues within twelve (12) months from substantially equal monthly deposits after required deposits to the Debt Service Account.

(c) The net revenues of the Waterworks in the fiscal year immediately preceding the issuance of any such bonds ranking on a parity with the bonds authorized by this Ordinance shall be not less than one hundred twenty percent (120%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or, prior to the issuance of said parity

bonds, the water rates and charges shall be increased or the service area or customer base shall be expanded sufficiently so that said increased rates and charges applied to the previous fiscal year's operations would have produced net revenues for said year equal to not less than one hundred twenty percent (120%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued. For purposes of this subsection, the records of the Waterworks shall be analyzed and all showings shall be prepared by a certified public accountant or independent financial advisor employed by the City for that purpose.

(d) The principal of said additional parity bonds shall be payable annually on December 1 and the interest on said additional parity bonds shall be payable semiannually on June 1 and December 1 in the years in which such principal and interest are payable, and, if the additional parity bonds are issued as capital appreciation bonds, the amount payable at maturity thereof shall be payable on June 1 and/or December 1 during the periods in which such maturity amounts are payable.

(e) Additional parity bonds issued as variable rate debt must be assumed to bear the maximum interest rate thereon for the purpose of certifying satisfaction of the 120% condition set forth above, and a maximum rate must be set for any such variable rate additional parity bonds. Furthermore, any put feature associated with such variable rate debt must be covered by remarketing proceeds or a liquidity facility issued by a provider which is either (i) rated in one of the two highest short-term rating categories of Moody's Investors Service or Standard & Poor's Rating Services, or (ii) for as long as any Bonds are insured by a bond insurer, acceptable to such bond insurer.

(f) If the Bonds are sold to the Authority, (i) the City has obtained the consent of the Authority, (ii) the City has faithfully performed and is in compliance with each of its obligations, agreements, and covenants contained in the Financial Assistance Agreement and this Ordinance, and (iii) the City is in compliance with its waterworks permits, except for non-compliance for which the bonds are to be issued, including refunding bonds issued prior to, but part of, the overall plan to eliminate such non-compliance.

Section 19. Additional Covenants of the City. For purposes of further safeguarding the interests of the owners of the Bonds herein authorized, it is specifically provided as follows:

(a) All contracts let by the City in connection with the construction of said additions and improvements to the Waterworks shall be let after due advertisement as required by the laws of the State of Indiana, and all contractors shall be required to furnish surety bonds in an amount equal to one hundred percent (100%) of the amount of such contracts, to insure the completion of said contracts in accordance with their terms, and such contractors shall also be required to carry such employer's liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts, and shall be governed in all respects by the laws of the State of Indiana relating to public contracts.

(b) Said additions and improvements shall be constructed under the supervision and subject to the approval of the consulting engineers for the Project or such other competent engineer as shall be designated by the Common Council. All estimates

for work done or material furnished shall first be checked by said consulting engineers and approved by the Common Council.

(c) The City shall at all times maintain the Waterworks in good condition and operate the Waterworks in an efficient manner and at a reasonable cost.

(d) So long as any of the Bonds are outstanding, the City shall maintain insurance (which must be acceptable to the Authority if the Authority owns the Bonds) on the insurable parts of the Waterworks of a kind and in an amount such as is customarily carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business in the State of Indiana. In addition to or in lieu of the foregoing, the City may provide for coverage on all or part of the Waterworks comparable to that described above through a self-insurance program. Insurance proceeds or condemnation awards shall be used in replacing or repairing the property destroyed or damaged; or, if not used for such purposes, shall be treated and applied as net revenues of the Waterworks, but only with the consent of the Authority, if the Bonds have been sold to the Authority.

(e) Except as otherwise provided in Section 18 of this Ordinance, so long as any of the Bonds are outstanding, no additional bonds or other obligations pledging any portion of the revenues of the Waterworks shall be authorized, executed or issued by the City except such as shall be made subordinate and junior in all respects to the Bonds, unless all of the Bonds are defeased, redeemed and retired coincidentally with the delivery of such additional bonds or other obligations.

(f) So long as any of the Bonds are outstanding, the City shall not mortgage, pledge or otherwise encumber the Waterworks, or any part thereof, nor shall it

sell, lease or otherwise dispose of any portion thereof except to replace equipment which may become worn out or obsolete.

(g) If the Bonds are sold to the Authority to finance Eligible Costs (as defined in the Financial Assistance Agreement), the City shall not borrow any money, enter into any contract or agreement or incur any other liabilities in connection with the Waterworks, other than for normal operating expenditures, without the prior written consent of the Authority if such undertaking would involve, commit, or use the revenues of the Waterworks.

(h) The provisions of this Ordinance shall constitute a contract by and between the City and the owners of the Bonds herein authorized, and after the issuance of the Bonds, this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the owners of the Bonds, nor shall the Common Council adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of the Bonds or the interest thereon remains unpaid. Except for the changes set forth in Section 23(a)-(g), this Ordinance may be amended, however, without the consent of the owners of the Bonds if the Common Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Bonds; provided, however, that if the Bonds are sold to the Authority, the City shall obtain the prior written consent of the Authority.

(i) The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Bonds shall retain a lien on such respective proceeds until the same are applied in accordance with the provisions of this Ordinance

and the Act. The provisions of this Ordinance shall also be construed to create a trust in the portion of the net revenue herein directed to be set apart and paid into the Waterworks Sinking Fund for the uses and purposes of said fund as in this Ordinance set forth. The owners of the Bonds shall have all of the rights, remedies and privileges set forth in the provisions of the Act, including the right to have a receiver appointed to administer said waterworks, in the event of default in the payment or the principal of or interest on any of the Bonds herein authorized or in the event of default in respect to any of the provisions of this Ordinance or the governing Act. The Common Council reserves the right, however, to amend this Ordinance from time to time to preserve the Tax Exemption described in Section 23 hereof without the approval of any owner of the Bonds so long as the Common Council certifies that such amendment does not violate this subsection (i) of Section 19.

Section 20. Defeasance of the Bonds. If, when the Bonds shall have become due and payable in accordance with their terms, or shall have been duly called for redemption, or irrevocable instructions to call the Bonds for redemption shall have been given and the whole amount of the principal of and interest on and the premium, if any, so due and payable upon all of the Bonds then outstanding shall be paid; or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust, and provision shall also be made for paying all fees and expenses for the

redemption, then and in such event the Bonds shall no longer be deemed outstanding or entitled to the pledge of the revenues of the Waterworks.

Section 21. Permitted Actions Relating to Preservation of Exclusion of Interest from Federal Gross Income.

(a) The Controller is hereby authorized to invest moneys pursuant to the provisions of this Ordinance and Indiana Code 5-1-14-3 at a restricted yield (subject to applicable requirements of federal law to insure that any such investment is acquired for fair market value) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the Bonds, or the tax exempt status of interest on the Bonds, under federal law.

(b) The Controller shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts created or referenced herein. In order to comply with the provisions of this Ordinance, the Controller is hereby authorized and directed to employ consultants or attorneys from time to time to advise the City as to requirements of federal law to preserve the tax exclusion or exemption.

Section 22. Tax Covenants. In order to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes and as an inducement to purchasers of the Bonds, the City represents, covenants and agrees that:

(a) No person or entity or any combination thereof, other than the City or any other governmental unit within the meaning of Section 141(b)(6) and Section 150(a)(2) of the Internal Revenue Code of 1986, as amended (the "Code") ("Governmental Unit"), will use proceeds of the Bonds or property financed by the Bond proceeds other than as a member of the general public. No person or entity or any

combination thereof other than the City or another Governmental Unit will own property financed by the Bond proceeds or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as take-or-pay or output contract or any other type of arrangement that differentiates that person's or entity's use of such property from the use by the public at large, other than as may be permitted by Revenue Procedure No. 97-13.

(b) No Bond proceeds will be loaned to any entity or person. No Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a person or entity other than a Governmental Unit in any manner that would in substance constitute a loan of the Bond proceeds.

(c) The City will not take, or cause or permit to be taken by it or by any party under its control, or fail to take or cause or permit to fail to be taken by it or by any party under its control, any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Bonds pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion. The City further covenants that it will not make any investment or do any other act or thing during the period that any Bond is outstanding hereunder which would cause any Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Bonds.

(d) The City will, to the extent necessary to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes, rebate all required arbitrage profits on Bond proceeds or other moneys treated as Bond proceeds to

the federal government and will set aside such moneys in a Rebate Account to be held by the Controller in trust for such purpose.

Section 23. Waiver of Tax Covenants. Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance ("Tax Sections") which are designed to preserve the tax exempt status of interest on the Bonds or the exclusion of interest on the Bonds from gross income under federal law ("Tax Exemption") need not be complied with if the City receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Section 24. Supplemental Ordinances. Without notice to or consent of the owners of the bonds herein authorized, the City may, from time to time and at any time, adopt an ordinance or ordinances supplemental hereto (which supplemental ordinance or ordinances shall thereafter form a part hereof) for any of the following purposes:

(i) To cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance or to make any other change authorized herein;

(ii) To grant to or confer upon the owners of the Bonds any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the Bonds or to make any change which, in the judgment of the City, is not to the prejudice of the owners of the Bonds;

(iii) To modify, amend or supplement this Ordinance to permit the qualification of the Bonds for sale under the securities laws of the United States of America or of any of the states of the United States of America or to

obtain or maintain bond insurance or other credit enhancement with respect to payments of principal of and interest on the Bonds;

(iv) To provide for the refunding or advance refunding of the Bonds;

(v) To procure a rating on the Bonds from a nationally recognized securities rating agency or agencies designated in such supplemental ordinance if such supplemental ordinance will not adversely affect the owners of the Bonds or any other bonds ranking on a parity with such Bonds; or

(vi) To accomplish any other purpose which, in the judgment of the City, does not adversely affect the interests of the owners of the Bonds;

provided, however, that if the Bonds are sold to the Authority, the City shall obtain the prior written consent of the Authority .

Subject to the terms and provisions contained in this Section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the bonds issued pursuant to this Ordinance and then outstanding shall have the right, from time to time, anything contained in this Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of, mandatory sinking fund redemption date, if any, or interest on any bond issued pursuant to this Ordinance; or

(b) A reduction in the principal amount of any bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the waterworks ranking prior to the pledge thereof created by this Ordinance; or

(d) A preference or priority of any bond or bonds issued pursuant to this Ordinance over any other bond or bonds issued pursuant to the provisions of this Ordinance; or

(e) A reduction in the aggregate principal amount of the bonds required for consent to such supplemental ordinance;

(f) A reduction in the Reserve Requirement; or

(g) The extension of mandatory sinking fund redemption dates, if any.

If the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Clerk of the City, no owner of any bond issued pursuant to this Ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the

provisions of this Section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the City and all owners of bonds issued pursuant to the provisions of this Ordinance then outstanding, shall thereafter be determined, exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and of the owners of the bonds authorized by this Ordinance, and the terms and provisions of the bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the bonds issued pursuant to this Ordinance then outstanding.

Section 25. Payments on Holidays. If the date of making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the City or the city in which the Registrar and Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day which is not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date. Notwithstanding the foregoing, with respect to any Bonds sold to the Authority pursuant to Section 10 of this Ordinance, if the date for making any payment is a day when financial institutions are not open for business, such payment shall be made on the business day immediately preceding such payment date.

Section 26. If the Bonds are sold by public bidding pursuant to Section 10 hereof, the Bonds shall be offered and sold pursuant to an Official Statement with respect to the Bonds

(the "Official Statement"), to be made available and distributed in such manner, at such times, for such periods and in such number of copies as may be required pursuant to Rule 15c2-12 promulgated by the United States Securities and Exchange Commission (the "Rule"). The Common Council hereby authorizes the Mayor to approve the form of the Preliminary Official Statement upon the advice of counsel with such approval to be conclusively evidenced by signature of the Mayor thereon. The Common Council hereby authorizes the Mayor to deem "final" the Preliminary Official Statement, as of its date, in accordance with the provisions of the Rule, subject to completion as permitted by the Rule, and the Common Council further authorizes the distribution of the deemed final Official Statement. The Common Council hereby authorizes and directs the Mayor, upon the advice of the counsel to place into final form and distribute and cause to be delivered the final Official Statement in accordance with the Rule, and further authorizes the Mayor to execute the final Official Statement. If the Bonds are sold by public bidding, the Common Council covenants and agrees that it will comply with and carry out the continuing disclosure requirements of Section (b)(5) of the Rule. If the Bonds are sold by public bidding, the Common Council hereby authorizes the Mayor to approve a continuing disclosure contract and to execute the same on the date the Bonds are issued

Section 27. Further Actions. The Common Council hereby requests, authorizes and directs the Mayor, the Controller, and the Clerk, and each of them, for and on behalf of the City, to prepare, execute and deliver any and all other instruments, letters, certificates, agreements and documents as are determined to be necessary or appropriate to consummate the transactions contemplated by this Ordinance, and such determination shall be conclusively evidenced by the execution thereof. The instruments, letters, certificates, agreements and documents necessary or appropriate to consummate the transactions contemplated by this

Ordinance shall, upon execution, as contemplated herein, constitute the valid and binding obligations or representations and warranties of the City, the full performance and satisfaction of which by the City is hereby authorized and directed.

Section 28. Repeal of Other Ordinances. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed; provided, however, that this Ordinance shall not be construed as repealing or modifying in any respect any of the provisions of the Prior Ordinances as they relate to the Prior Bonds.

Section 29. Captions. The captions in this Ordinance are inserted only as a matter of convenience and reference, and such captions are not intended and shall not be construed to define, limit, establish, interpret or describe the scope, intent or effect of any provision of this Ordinance.

Section 30. Effective Date. This Ordinance shall be in full force and effect from and upon compliance with the procedures required by law.

* * * * *

PASSED AND ADOPTED by the Common Council of Fort Wayne, Indiana, on the _____ day of _____, 2006.

COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

By: _____
Member of the Common Council

APPROVED AS TO FORM AND LEGALITY

_____
Timothy A. Manges, City Attorney

APPENDIX A TO
BOND ORDINANCE

FORM OF REGISTERED BOND

(Form of Face of Bond)

UNITED STATES OF AMERICA
STATE OF INDIANA, COUNTY OF ALLEN
CITY OF FORT WAYNE, INDIANA,
WATERWORKS REVENUE BOND OF 200__

No. 0__R-__

Interest Rate	Maturity Date	Original Date	Authentication Date	CUSIP No.

Registered Owner: _____

Principal Amount:

The City of Fort Wayne (the "City"), in Allen County, State of Indiana, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, upon surrender hereof, solely out of the special revenue fund hereinafter referred to, the Principal Amount specified above **[or so much thereof as may be advanced from time to time and be outstanding as evidenced by the records of the registered owner making payment for this Bond or its assigns on December 1 in the years and in the amounts as set forth on Schedule A attached hereto]**, on the Maturity Date set forth above (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon until the Principal Amount is fully paid at the Interest Rate per annum specified above from the Original Date or the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the fifteenth day of the month preceding an interest payment date and on or before such interest payment date, in which case it shall bear interest from such interest payment date, and unless this bond is authenticated on or before _____, it shall bear interest from the Original Date, which interest is payable commencing on _____ 1, 200__, and semiannually on each June 1 and December 1 thereafter. Interest shall be calculated on the basis of a twelve (12) thirty (30)-day months for a three hundred sixty (360)-day year.

The principal of this bond is payable at the principal corporate trust office of _____, in the City of _____, Indiana, or of any successor registrar and paying agent appointed under the Ordinance hereinafter mentioned (the "Registrar" and the "Paying Agent"). Interest hereon will be paid by cash or draft mailed or delivered to the Registered Owner hereof at the address as it appears on the registration books of the Registrar as of the fifteenth day of the month immediately preceding the applicable interest payment date or at such other address as is furnished to the Paying Agent in writing by such Registered Owner. Interest on, together with the principal of, this Bond will be paid directly to The Depository Trust Company, New York, New York ("DTC"), by wire transfer in same day funds by the Paying Agent so long as DTC or its nominee is the registered owner of the Bond. All payments on this bond shall be made in any coin or currency of the United States of America which, on the dates of such payments, shall be legal tender for the payment of public and private debts.

[Notwithstanding the foregoing paragraph, so long as this bond is registered in the name of the Indiana Finance Authority (the "Authority"), principal of and interest on this bond shall be paid by wire

transfer to a financial institution designated by the Authority on the due date of such payment or, if such date is a day when financial institutions are not open for business, on the business day immediately preceding such due date. So long as the Authority is the registered owner of this bond, this bond shall be presented for payment as directed by the Authority.

So long as the Authority is the registered owner of this bond, it is understood that the principal hereof shall not be payable and interest hereon shall not accrue until such principal amount has been advanced pursuant to a request made by the City to the Authority.]

This bond and the other bonds of this issue, together with the interest payable hereon and thereon, are payable solely from and secured by an irrevocable pledge of and constitute a first charge upon all of the net revenues (defined to be gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance, but not including depreciation and payments in lieu of taxes) derived from the waterworks of the City, including the existing works and all additions and improvements thereto subsequently acquired or constructed; and rank on a parity basis with outstanding revenue bonds of the City, (i) issued pursuant to Ordinance No. S-79-96 of the City and designated "City of Fort Wayne, Indiana, Waterworks Revenue Bonds of 1997," outstanding on the issuance date of this bond in the principal amount of Three Million Five Hundred Seventy-five Thousand and 00/100 Dollars ($3,575,000.00) and payable on December 1 in the years 2006 through and including 2011 (the "1997 Bonds"); (ii) issued pursuant to Ordinance No. S-106-02 of the City and designated "City of Fort Wayne, Indiana, Waterworks Refunding Revenue Bonds of 2002," outstanding on the issuance date of this bond in the principal amount of Two Million Four Hundred Ten Thousand and 00/100 Dollars ($1,150,000.00) and payable on December 1, 2006 (the "2002 Bonds"); (iii) issued pursuant to Ordinance No. S-127-02 of the City and designated "City of Fort Wayne, Indiana, Waterworks Refunding Revenue Bonds of 2003," outstanding on the issuance date of this bond in the principal amount of Four Million Eight Hundred Sixty-five Thousand and 00/100 Dollars ($4,865,000.00) and payable on December 1 in the years 2006 through and including 2017 (the "2003 Bonds"); and (iv) issued pursuant to S-72-04 of the City and designated "City of Fort Wayne, Indiana, Waterworks Revenue Bonds of 2005," outstanding on the issuance date of this bond in the principal amount of Sixteen Million Seven Hundred Thousand and 00/100 Dollars ($16,700,000.00) and payable on December 1 in the years 2007 through and including 2019 (the "2005 Bonds" and with the 1997 Bonds, the 2002 Bonds, and the 2003 Bonds, the "Prior Bonds"). The City shall not be obligated to pay the principal of or interest on this bond except from the special fund, entitled the "Waterworks Sinking Fund" (the "Sinking Fund") heretofore created by ordinance of the City, provided from the net revenues of such waterworks, and neither this bond nor any of the bonds of the issue of which this bond is a part shall constitute an indebtedness of the City within the meaning of the provisions and limitations of the constitution of the State of Indiana.

The City, the Registrar and the Paying Agent may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and the interest due hereon and for all other purposes, and none of the City, the Registrar or the Paying Agent shall be affected by any notice to the contrary.

This bond shall not be valid or become obligatory for any purpose or entitled to any security or benefit under the Ordinance unless and until the certificate of authentication hereon shall have been executed by a duly authorized representative of the Registrar.

This bond is one of an authorized issue of bonds of the City of Fort Wayne, Indiana, of like date, tenor and effect, except as to numbering, interest rates and dates of maturity, in the total amount of _____ Dollars ($_____) numbered from 0__R-1 upward, issued for the purpose of providing funds to pay the costs of certain improvements to the City's waterworks and all expenses necessarily incurred in connection with the issuance of such bonds, as authorized by an ordinance adopted by the Common Council of the City on the _____ day of _____, 2006, entitled "An Ordinance of the Common Council of the City of Fort Wayne, Indiana, Authorizing the Acquisition, Construction and Installation of Certain Improvements to the City's Waterworks, the Issuance of Additional Revenue Bonds by the City of Fort Wayne, Indiana, to Provide Funds for the Costs Thereof, Authorizing the Collection, Segregation and Distribution of

the Revenues of Such Waterworks and Other Related Matters" (the "Ordinance"), and in strict compliance with the provisions of the Indiana Code, Title 8, Article 1.5, and the laws amendatory thereof and supplemental thereto (collectively, the "Act").

[Reference is hereby made to the Financial Assistance Agreement between the City and the Authority as to certain terms and covenants pertaining to the waterworks project and this bond (the "Financial Assistance Agreement").]

This bond is issuable only in fully registered form in the denomination of **[$5,000]** or any integral multiple thereof not exceeding the aggregate principal amount of the bonds of this issue maturing in any one (1) year**[, unless this bond is of a series of bonds sold to the Authority, in which case it may be of such denomination as directed]**.

The City irrevocably pledges the entire net revenues of the Waterworks to the extent necessary for such purposes, to the prompt payment of the principal of and interest on the bonds of this issue authorized pursuant to the Ordinance, including this bond, the Prior Bonds that remain outstanding and any bonds hereafter issued on a parity herewith and therewith. The City covenants that it will to the fullest extent permitted by law cause to be fixed, maintained and collected such rates and charges for services rendered by such works as are sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of said works and for the payment of the sums required to be paid into said Sinking Fund under the provisions of said Act and said Ordinance. In the event the City, or the proper officers thereof, shall fail or refuse to so fix, maintain and collect such rates or charges, or if there be a default in the payment of the principal of or interest on this bond, the Registered Owner of this bond shall have all of the rights and remedies provided for in the Act.

The City further covenants that it will set aside and pay into its Waterworks Sinking Fund a sufficient amount of the net revenues of the Waterworks to meet (a) the interest on all bonds payable from the revenues of the Waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying all bonds and interest, (c) the principal of all bonds payable from the revenues of the Waterworks, and (d) an additional amount as a margin of safety to create the reserve required by the Ordinance.

The bonds of this issue maturing on or after _____, are subject to redemption prior to maturity, at the option of the City on _____, or any date thereafter, on thirty (30) day notice, in whole or in part, on any date, in order of maturity selected by the City and by lot within any such maturity or maturities by the Registrar at a redemption price equal to one hundred percent (100%) of the principal amount of each bond to be redeemed, plus accrued interest to the date of redemption [and a premium of _____].

Notice of any such redemption shall be sent by registered or certified mail to the Registered Owner of this bond not less than thirty (30) days prior to the date fixed for redemption, unless such notice is waived by the Registered Owner; provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any such bond will not affect the validity of any proceedings for redemption of any other such bonds. The notice shall specify the redemption price, the date and place of redemption, and the registration numbers (and in case of partial redemption, the respective principal amounts) of the bonds called for redemption. Interest on bonds so called for redemption shall cease to accrue on the redemption date fixed in such notice, so long as sufficient funds are available at the place of redemption to pay the redemption price on the redemption date or when presented for payment.

Prior to the date fixed for redemption, funds shall be deposited with the Paying Agent to pay, and the Paying Agent is hereby authorized and directed to apply such funds to the payment of the bonds or portions thereof called, together with accrued interest thereon to the redemption date and any required premium. No payment shall be made by the Paying Agent upon any bond or portion thereof called for redemption until such bond shall have been delivered for payment or cancellation or the Registrar shall have received the items required by the Ordinance with respect to any mutilated, lost, stolen or destroyed bond.

If this bond shall have become due and payable in accordance with its terms or this bond or a portion hereof shall have been duly called for redemption or irrevocable instructions to call this bond or a portion hereof for redemption shall be given and the whole amount of the principal and the premium, if any, and interest, so due and payable upon this bond or such portion hereof shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit of a bank or banks, fully secured as to both principal and interest by obligations of the kind described in (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case this bond or such portion hereof shall no longer be deemed outstanding, entitled to the pledge of the net revenues of the waterworks or an obligation of the City.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with the Paying Agent an amount sufficient to pay such bond or the redemption price, as appropriate, and thereafter the Registered Owner shall look only to the funds so deposited in trust with the Paying Agent for payment, and the City shall have no further obligation or liability with respect thereto.

All bonds which have been redeemed shall be cancelled and cremated or otherwise destroyed and shall not be reissued and a counterpart of the certificate of cremation or other destruction evidencing such cremation or other destruction shall be furnished by the Registrar to the City; provided, however, that one or more new registered bonds shall be issued for the unredeemed portion of any bond without charge to the holder thereof.

Subject to the provisions of the Ordinance regarding the registration of such bonds, this bond and all other bonds of the issue of which this bond is a part are fully negotiable instruments under the laws of the State of Indiana. This bond is transferable or exchangeable only on the books of the City maintained for such purpose at the principal corporate trust office of the Registrar, by the Registered Owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, in exchange therefor. This bond may be transferred or exchanged without cost to the Registered Owner or his attorney duly authorized in writing, except for any tax or other governmental charge which may be required to be paid with respect to such transfer or exchange. The Registrar shall not be obligated to make any exchange or transfer of this bond (i) during the fifteen (15) days immediately preceding an interest payment date on this bond, or (ii) after the mailing of any notice calling this bond for redemption. The City, the Registrar and the Paying Agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and the redemption premium, if any, and interest due hereon.

In the event this bond is mutilated, lost, stolen or destroyed, the City may cause to be executed and the Registrar may authenticate a new bond of like date, maturity and denomination as this bond, which new bond shall be marked in a manner to distinguish it from this bond; provided, that in the case of this bond being mutilated, this bond shall first be surrendered to the Registrar, and in the case of this bond being lost, stolen or destroyed, there shall first be furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the City and to the Registrar, together with indemnity satisfactory to them. In the event that this bond, being mutilated, lost, stolen or destroyed, shall have matured or been called for redemption, instead of causing to be issued a duplicate bond the Registrar and Paying Agent may pay this bond upon surrender of this mutilated bond or upon satisfactory indemnity and proof of loss, theft or destruction in the event this bond is lost, stolen or destroyed. In such event, the City and the Registrar may charge the owner of this bond with their reasonable fees and expenses in connection with the above. Every substitute bond issued by reason of this bond being lost, stolen or destroyed shall, with respect to this bond, constitute a substitute contractual obligation of the City, whether or not this bond, being lost, stolen or

destroyed shall be found at any time, and shall be entitled to all the benefits of the Ordinance, equally and proportionately with any and all other bonds duly issued thereunder.

In the manner provided in the Ordinance, the Ordinance and the rights and obligations of the City and the owners of the bonds of this issue authorized thereunder, including this bond, may (with certain exceptions as stated in the Ordinance) be modified or amended with the consent of the owners of at least sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of such bonds exclusive of any such bonds which may be owned by the City.

The bonds authorized and issued pursuant to the Ordinance, including this bond, and the owner of this bond, by the acceptance hereof, hereby agrees to all the terms and provisions contained in the Ordinance.

The City hereby certifies, recites and declares that all acts, conditions and things required to be done precedent to and in the preparation, execution, issuance and delivery of this bond have been done and performed in regular and due form as required by law.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, State of Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of its Mayor, countersigned by the manual or facsimile signature of its Controller, and its corporate seal be hereunto affixed and attested by the manual or facsimile signature of its Clerk.

CITY OF FORT WAYNE, INDIANA

By:_____
Mayor

(Seal of the City)

By:_____
Controller

ATTEST:

_____
Clerk

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the City of Fort Wayne, Indiana, Waterworks Revenue Bonds of 2004, described in the within-mentioned Ordinance.

_____,
as Registrar

By:_____
Authorized Officer

The following abbreviations, when used in the inscription of the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN. COM. as tenants in common

TEN. ENT.	as tenants by the entireties
JT. TEN.	as joint tenants with right of survivorship and not as tenants in common
UNIF. GIFT MIN. ACT	_____ Custodian _____ (Cust.) (Minor)

under Uniform Gifts to Minors Act of

_____
(State)

Additional abbreviations may also be used although not in the above list.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ _____ (insert name and address) the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ _____ attorney to transfer the within bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

_____

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guarantee:

_____

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Security Transfer Association recognized signature guarantee program.

[SCHEDULE A]

Principal Payment Schedule

Year (December 1)	Principal Amount
	$

APPENDIX B
TO BOND ORDINANCE

STATE OF INDIANA
DRINKING WATER REVOLVING LOAN PROGRAM

FINANCIAL ASSISTANCE AGREEMENT made as of this __ day of _____, 2006 by and between the Indiana Finance Authority (the "Finance Authority"), a body politic and corporate, not a state agency but an independent instrumentality of the State of Indiana (the "State") and the City of Fort Wayne, Indiana (the "Participant"), a political subdivision as defined in I.C. 13-11-2-164, operating its water utility under I.C. 8-1.5, witnesseth:

WHEREAS, the State's Drinking Water Revolving Loan Program (the "Drinking Water SRF Program") has been established in accordance with the federal Safe Drinking Water Act and any regulations promulgated thereunder, and pursuant to I.C. 13-18-21 (the "Drinking Water SRF Act"), which Drinking Water SRF Act also establishes the drinking water revolving loan fund (the "Drinking Water SRF Fund"); and

WHEREAS, pursuant to the Drinking Water SRF Act, the State was authorized to fund the Drinking Water SRF Program with federal capitalization grants, together with required state matching funds therefor, and to operate the Drinking Water SRF Program, and prior to May 15, 2005 so funded and operated the Drinking Water SRF Program; and

WHEREAS, the Indiana Bond Bank (the "Bond Bank") has had a longstanding commitment to finance water quality and drinking water projects for qualified entities by issuing its bonds, pursuant to I.C. 5-1.5, for the purpose of buying securities of such qualified entities and financed the Drinking Water SRF Program, including the required state matching funds, and prior to May 15, 2005 so financed the Drinking Water SRF Program; and

WHEREAS, pursuant to Public Law 235-2005, by operation of law and effective May 15, 2005, the Finance Authority has become the successor to the State in all matters related to the Drinking Water SRF Program (including use and acceptance of federal capitalization grants and required state matching funds and operation of the Drinking Water SRF Program) and to the Bond Bank in all matters related to the financing of the Drinking Water SRF Program (including the Bond Bank's outstanding State Revolving Fund Program Bonds and securities of all qualified entities purchased with the proceeds of such bonds); and

WHEREAS, the Participant is a duly existing political subdivision of the State, lawfully empowered to undertake all transactions and execute all documents mentioned or contemplated herein; and

WHEREAS, the Participant has determined to undertake a drinking water system project (as more fully described herein, the "Project") and to borrow money from the Drinking Water SRF Program to construct and acquire the Project; and

WHEREAS, the Finance Authority and the Participant desire to set forth the terms of such financial assistance as hereinafter provided.

NOW THEREFORE, in consideration of the mutual covenants herein set forth, the Finance Authority and the Participant agree as follows:

ARTICLE I

DEFINITIONS

Section 1.01. Definitions. The following terms shall, for all purposes of this Agreement, have the following meaning:

"**Agency**" shall mean the United States Environmental Protection Agency or its successor.

"**Authorizing Instrument(s)**" shall mean the separate trust indenture(s) of the Participant entered into with a corporate trustee or the detailed resolution(s) or ordinance(s) of the governing body of the Participant pursuant to which the Bonds are issued in accordance with State law.

"**Authorized Representative**" shall mean the Controller of the Participant or such other officer, official, or representative of the Participant duly authorized to act for and on behalf of the Participant as provided for herein.

"**Bond**" or "**Bonds**" shall mean the instrument(s) which evidence(s) the Loan, as authorized by the Authorizing Instrument and containing the terms set forth in Section 2.02 of this Agreement.

"**Bond Fund**" shall mean the separate and segregated fund or account established and created by the Participant pursuant to the Authorizing Instrument from which payment of the principal of and interest on the Bonds is required to be made by the Participant.

"**Bond Fund Agreement**" shall mean an agreement in such form as from time to time determined by the Authority pursuant to which (a) the Participant's Bond Fund (including any reserve account established and created by the Participant pursuant to the Authorizing Instrument related thereto) is held by a financial institution selected by the Authority and available for payment of the Bonds and any other similar obligations of the Participant that are payable from the Bond Fund regardless whether they are on a parity basis and (b) such financial institutional serves as the paying agent for the Bonds and any other such similar obligations of the Participant that are payable from the Bond Fund.

"**Business Day**" shall mean any day other than a Saturday, Sunday or State legal holiday or any other day on which financial institutions in the State are authorized by law to close and to remain closed.

"**Code**" shall mean the Internal Revenue Code of 1986, as amended and supplemented from time to time, together with the regulations related thereto.

"**Commission**" shall mean the Indiana Utility Regulatory Commission created under I.C. 8-1-1-2 or its successor.

"**Department**" shall mean the Indiana Department of Environmental Management created under I.C. 13-13-1-1 or its successor.

"**Director of Environmental Programs**" shall mean the person designated by the Finance Authority as authorized to act as the Director of Environmental Programs (which designation includes such Director's assumption of the duties previously assigned to the Drinking Water SRF Program Representative and the Drinking Water SRF Program Director) and where not limited, such person's designee.

"**Disbursement Request**" shall mean a request for a disbursement of the Loan made by an Authorized Representative in such form as the Finance Authority may from time to time prescribe.

"**Drinking Water SRF Fund**" shall mean the drinking water revolving loan fund as established by I.C. 13-18-21-2.

"**Drinking Water SRF Indenture**" shall mean the First Amended and Restated Drinking Water SRF Trust Indenture, dated as of February 1, 2004 between the Finance Authority (as successor by operation of law to the State in all matters related to the Drinking Water SRF Program) and the Trustee, as amended and supplemented from time to time.

"**Drinking Water System**" shall mean all, or any part of, the system for the provision to the public of water for human consumption through pipes and other constructed conveyances that:

(1) has at least fifteen (15) service connections; or

(2) regularly serves at least twenty-five (25) individuals;

and as further defined and described in I.C. 13-11-2-177.3 and SRF Policy Guidelines, as amended and supplemented from time to time.

"**Eligible Cost**" shall mean and include, whether incurred before or after the date of this Agreement, all costs which have been incurred and qualify for Financial Assistance, including engineering, financing and legal costs related thereto.

"**Finance Authority**" shall mean the Indiana Finance Authority, a body politic and corporate, not a state agency but an independent instrumentality of the State.

"**Finance Authority Bonds**" shall mean (A) any Indiana Bond Bank State Revolving Fund Program Bonds or the Indiana Bond Bank Water Quality Program Bonds issued as a part of the Drinking Water SRF Program within the meaning of the Drinking Water SRF Indenture and (B) any Finance Authority State Revolving Fund Program Bonds, Finance Authority Water

Quality Program Bonds, or other similar obligations of the Finance Authority issued as a part of the Drinking Water SRF Program within the meaning of the Drinking Water SRF Indenture.

"**Financial Assistance**" shall mean the financial assistance authorized by the Safe Drinking Water Act, including the Loan.

"**Loan**" shall mean the purchase of the Bonds by the Finance Authority to finance the planning, designing, constructing, renovating, improving and expanding of the Participant's Drinking Water System or refinance an existing debt obligation where such debt was incurred and building of such systems began after July 1, 1993, but does not mean the provision of other Financial Assistance.

"**Non-Use Close-out Date**" shall mean that date which is the earlier of (a) the first date as of which the full amount of the Loan has been disbursed on a cumulative basis or (b) the date as of which the Participant binds itself that no further Loan disbursements will be made under this Agreement.

"**Non-Use Fee**" shall mean a fee in an amount determined by the Finance Authority charged to compensate it for costs and expenses within the Drinking Water SRF Program. Such amount shall be the greater of (A) the product of the undrawn balance of the Loan on each applicable Non-Use Assessment Date multiplied by one percent (1%) or (B) One Thousand Dollars ($1,000). Such fee shall apply and be payable under Section 5.09 herein with respect to each Non-Use Assessment Date until the Non-Use Close-out Date shall occur.

"**Non-Use Assessment Date**" shall mean _____, 20__ and the first day of each sixth (6^{th}) calendar month thereafter unless and until the Non-Use Close-out Date occurs in advance of any such Non-Use Assessment Date.

"**Operation and Maintenance**" shall mean the activities required to assure the continuing dependable and economic function of the Drinking Water System, including maintaining compliance with primary and secondary drinking water standards, as follows:

(1) Operation shall mean the control and management of the unit processes and equipment which make up the Drinking Water System, including financial and personnel management, records, reporting, laboratory control, process control, safety and emergency operation planning and operating activities.

(2) Maintenance shall mean the preservation of the functional integrity and efficiency of equipment and structures by implementing systems of preventive and corrective maintenance.

"**Plans and Specifications**" shall mean the detailed written descriptions of the work to be done in undertaking and completing the Project, including the written descriptions of the work to be performed and the drawings, cross-sections, profiles and the like which show the location, dimensions and details of the work to be performed.

"**Preliminary Engineering Report**" shall mean the information submitted by the Participant that is necessary for the Finance Authority (or if submitted to the Department prior to May 15, 2005, then the Department in its role as predecessor to the Finance Authority in certain matters related to the Drinking Water SRF Program) to determine the technical, economic and environmental adequacy of the proposed Project.

"**Project**" shall mean the activities or tasks identified and described in Exhibit A to this Agreement, and incorporated herein, as amended or supplemented by the Participant and consented to by the Finance Authority, for which the Participant may expend the Loan.

"**Purchase Account**" shall mean the account by that name created by the Drinking Water SRF Indenture and held as part of the Drinking Water SRF Fund.

"**Safe Drinking Water Act**" shall mean the Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq. and other laws supplemental thereto, as amended and supplemented from time to time.

"**SRF Policy Guidelines**" shall mean guidance of general applicability (as from time to time published, amended and supplemented by the Finance Authority) pertaining to participants utilizing financial assistance in connection with their projects funded in whole or in part through the Drinking Water SRF Program.

"**State**" shall mean the State of Indiana.

"**Substantial Completion of Construction**" shall mean the day on which the Finance Authority (or if designated by the Finance Authority, the Department) determines that all but minor components of the Project have been built, all equipment is operational and the Project is capable of functioning as designed.

"**Trustee**" shall mean J.P. Morgan Trust Company, NA, Indianapolis, Indiana, in its capacity as trustee or its successor under the Drinking Water SRF Indenture.

(End of Article I)

ARTICLE II

PURPOSE OF BORROWING AND
Section 31.LOAN TERMS

Section 2.01. Amount; Purpose. The Finance Authority agrees to Loan an amount not to exceed _____ Dollars ($_____) in aggregate principal amount to the Participant as Financial Assistance to pay for the Eligible Costs, as hereinafter described, of the Project on, and subject to, the terms and conditions contained herein. The Loan shall be used only to pay the following Eligible Costs: (a) eligible planning services for the production of a Preliminary Engineering Report ("Planning"), (b) eligible design services for the production of Plans and Specifications ("Design") and (c) eligible construction costs, including financing and legal costs ("Construction"). The Loan shall be funded solely from available proceeds of the Finance Authority Bonds contained in the Purchase Account or from other sources the Finance Authority, in its sole discretion, may designate. The Loan is evidenced by the Bonds executed and delivered by the Participant contemporaneously herewith. The Bonds shall be in fully registered form, with the Finance Authority registered as the registered owner. So long as the Finance Authority is the registered owner, the principal of and redemption premium, if any, and interest on the Bonds shall be paid to the Trustee by a wire transfer referenced as follows: J.P. Morgan Trust Company, National Association, BNF: Corporate Trust Services, 021 00 021 and Account number 507199561, OBI: INDIANA SRF, Attn: SRF Contact Trust Officer (317) 756-1302. The Participant agrees to undertake and complete the Project and to receive and expend the Loan proceeds in accordance with this Agreement.

Section 2.02. The Bonds.

(a) The Bonds will bear interest[1] at the per annum rate of _____percent (___%) (calculated on the basis of a 360-day year comprised of twelve 30-day months) until paid, as provided in I.C. 13-18-21-10 and -15. Interest, if any, on the Bonds will be payable on June 1 and December 1 of each year, commencing ____ 1, 200__. The Bonds will be in the aggregate principal amount of _____ Dollars ($_____). Subject to Section 2.05 herein, the Bonds will mature on December 1 of each of the years set forth in, and at the principal amount set opposite each such month and year set forth in, the schedule contained in Exhibit B to this Agreement (which is hereby incorporated by reference); provided, however, notwithstanding the foregoing or the terms of the Bonds to the contrary, no maturity of Bonds shall extend beyond the date which is twenty (20) years after Substantial Completion of Construction. If the maturity date for any Bonds is beyond such date, unless otherwise agreed to, such Bonds, together with accrued and unpaid interest thereon, will be due and payable on such date.

---

[1] Subject to changes hereafter adopted by the Finance Authority, this interest rate will be determined by established criterion as of the date when this Agreement is entered into by the Finance Authority. (Until set when this Agreement is entered, the SRF interest rates change quarterly. Contact the SRF Program to be informed of the rates currently in effect.)

(b) The Bonds will be subject to redemption by the Participant as provided in the Authorizing Instrument.

(c) The form and other terms of the Bonds will be in conformity with the Authorizing Instrument.

Section 2.03. Disbursement Conditions. Each of the following shall be a condition precedent to the disbursement of the Loan or any portion thereof:

(a) (1) With respect to procurement of professional services related to the Project to be paid from Loan proceeds, the Participant shall have complied with applicable State law and SRF Policy Guidelines. (2) With respect to procurement of all other goods and services related to the Project to be paid from Loan proceeds, the Participant shall have complied with I.C. 36-1-12 and SRF Policy Guidelines.

(b) No representation, warranty or covenant of the Participant contained in this Agreement or in any paper executed and delivered in connection with the transactions contemplated by this Agreement shall be false or inaccurate in any material respect.

(c) The Participant shall undertake and faithfully perform each of its obligations, agreements and covenants contained in this Agreement, the Authorizing Instrument and the Bonds.

(d) There shall be available to the Finance Authority uncommitted funds in an amount sufficient to satisfy the Finance Authority's obligations hereunder from the proceeds of Finance Authority Bonds in the Purchase Account.

(e) The Participant shall have undertaken all actions necessary to comply with and satisfied the conditions and requirements for a Loan secured with money made available from the Drinking Water SRF Fund as set forth in federal and State statutes, rules and regulations, including I.C. 13-18-21, SRF Policy Guidelines, the Safe Drinking Water Act and 40 C.F.R. Part 35.

(f) Prior to making any Loan disbursement to pay any Construction costs, the Project shall have been approved by the State's Historical Preservation Officer in a manner consistent with the policies and practices of the Drinking Water SRF Program. (the "Historical Preservation Approval"). Notwithstanding any provision of this Agreement to the contrary, in the event a Historical Preservation Approval has not been given within four (4) months after the date of this Agreement, the Finance Authority may, in its sole discretion, reduce the aggregate amount of the Loan to the amount then disbursed and outstanding under this Agreement. Upon giving notice to the Participant of such action, no further Loan disbursement may be made under this Agreement unless consented to by the Finance Authority.

Section 2.04. Disbursement Procedures. Loan proceeds shall be disbursed to the Participant by the Trustee for actual Eligible Costs incurred with respect to the Project. The

Finance Authority may, in its discretion, cause Loan disbursements to be made (a) directly to the person or entity identified in the Disbursement Request to whom payment is due, or (b) if advised in writing by the Participant that I.C. 36-1-12-14 or a similar law applies to the Project, to the Participant for purposes of collecting retainage, or some combination thereof. Any Loan proceeds in excess of the amount subject to retainage controlled by the Participant will be immediately remitted to the person or entity to whom payment is due, no later than three (3) Business Days after receipt or the date such Loan proceeds are no longer subject to retainage. Loan disbursements shall not be made more frequently than monthly and shall only be made following the submission of a Disbursement Request to the Finance Authority. Disbursement Requests shall be approved by the Director of Environmental Programs prior to submission to the Trustee for a Loan disbursement. Disbursement Requests shall be numbered sequentially, beginning with the number 1.

Section 2.05. Effect of Disbursements. Loan disbursements made to or for the benefit of the Participant shall be deemed to be a purchase of the Bonds in such amounts and with such maturities as achieves as level a debt service as practicable, and with no maturity longer than the original maturity schedule; provided that any principal payments originally scheduled under Section 2.02 herein as being due prior to one year after Substantial Completion of Construction shall first be deemed to be a purchase of the Bonds in order of maturity. Interest on the Loan commences on the day that the Finance Authority approves a Disbursement Request and forwards such Disbursement Request to the Trustee for payment. In the event any Loan disbursement is made in excess of Eligible Costs, such excess disbursements shall be immediately paid by the Participant to the Trustee and may, subject to the terms and conditions set forth in this Agreement, be borrowed by the Participant.

Section 2.06. Acknowledgment of Amount of Loan; Final Disbursement. Within 30 days after any request by the Finance Authority from time to time, the Participant shall execute and deliver to the Finance Authority an acknowledgment in the form prescribed by the Finance Authority which acknowledges the outstanding principal of and interest on the Bonds. Unless the Finance Authority consents in writing, no Loan disbursement shall be made more than one year after Substantial Completion of Construction. After Substantial Completion of Construction, upon the request of the Finance Authority, the Participant shall replace, at its expense, the Bonds with substitutes issued pursuant to the Authorizing Instrument to evidence the outstanding principal under the Loan.

(End of Article II)

ARTICLE III

REPRESENTATIONS, WARRANTIES AND COVENANTS OF THE QUALIFIED ENTITY

Section 3.01. Planning, Design and Construction Covenants. The Participant hereby covenants and agrees with the Finance Authority that the Participant will:

(a) Provide information as requested by the Finance Authority to determine the need for, or to complete any necessary, environmental review or analysis.

(b) Comply with the procurement procedures and affirmative action requirements contained in SRF Policy Guidelines in the Planning, Design and Construction of the Project to the extent that such are to be paid from Loan proceeds.

(c) With respect to prime and first tier contract awards, report minority and women business enterprise utilization in the Planning, Design and Construction of the Project, to the extent that such are to be paid from Loan proceeds, by executing and delivering Agency Form SF 5700-52 to the Finance Authority whenever any agreements or subagreements are awarded. (These reports must be submitted by the 15th day of each January, April, July and October after which such agreement or subagreement is awarded).

(d) Comply with all applicable federal, State and local statutes, rules and regulations relating to the acquisition and construction of the Drinking Water System.

(e) In the event Construction is to be paid from Loan proceeds, prior to an award of any contract for Construction of the Project, obtain a construction permit from the Department and receive the written approval of the Finance Authority (or if approved by the Department prior to May 15, 2005, then the Department in its role as predecessor to the Finance Authority in certain matters related to the Drinking Water SRF Program) of the Preliminary Engineering Report.

(f) Obtain the property rights necessary to construct the Drinking Water System and, in procuring any such rights comply with federal and State law.

(g) In the event Construction is to be paid from Loan proceeds, comply with the federal Davis-Bacon Act, codified at 40 U.S.C. 276a-276a-5 unless separately waived by the Authority.

(h) In the event Construction is to be paid from Loan proceeds, execute and deliver to the Finance Authority Agency Form 4700-4 ("Pre-award Compliance Review Report for Wastewater Treatment Construction Grants") and Agency Form 5700-49 ("Certification Regarding the Debarment, Suspension, and Other Responsibility Matters").

(i) In the event Construction is to be paid from Loan proceeds, follow guidance issued by the Finance Authority in procuring contracts for Construction, including (1) submission to the Finance Authority (or if submitted to the Department prior to May 15, 2005, then the Department in its role as predecessor to the Finance Authority in certain matters related to the Drinking Water SRF Program) of Project change orders, (2) obtaining approval from the Director of Environmental Programs of any Project change order which significantly changes the scope or Design of the Project or, when taking into account other change orders and contracts, are reasonably expected to result in expenditures in an amount greater than the Loan, (3) receiving approval from the Director of Environmental Programs prior to the award of any contract for Construction and (4) receiving authorization from the Director of Environmental Programs prior to initiating procurement of Construction of the Project.

(j) In the event Construction is to be paid from Loan proceeds, before awarding Construction contracts, receive approval of the Director of Environmental Programs for any interlocal agreement associated with the Project.

(k) In the event Construction is to be paid from Loan proceeds, cause the Project to be constructed in accordance with the Preliminary Engineering Report and the Plans and Specifications, using approved contract papers.

(l) Permit the Finance Authority and its agents to inspect from time to time (1) the Project, (2) the Drinking Water System and (3) the books and other financial records of the Drinking Water System, including the inspections described in SRF Policy Guidelines. Construction contracts shall provide that the Finance Authority or its agents will have access to the Project and the work related thereto and that the Participant's contractor will provide proper facilities for such access and inspection. All files and records pertaining to the Project shall be retained by the Participant for at least six years after Substantial Completion of Construction.

(m) Upon Substantial Completion of Construction and when requested by the Finance Authority, provide audited reports to the Finance Authority to permit the Finance Authority to determine that the Loan proceeds have been used in compliance with this Agreement.

(n) In the event Construction is to be paid from Loan proceeds, within one year of Substantial Completion of Construction, provide as-built plans for the Project to the Finance Authority (or if directed by the Finance Authority, to the Department).

Section 3.02. General Covenants. The Participant hereby covenants and agrees with the Finance Authority that the Participant will:

(a) Comply with all applicable federal, State and local statutes, rules and regulations relating to Operation and Maintenance.

(b) (1) Own, operate and maintain the Project and the Drinking Water System for their useful life, or cause them to be operated and maintained for their useful life; (2) at all times maintain the Drinking Water System in good condition and operate it in an efficient manner and at a reasonable cost; and (3) not sell, transfer, lease or otherwise encumber the Drinking Water System or any portion thereof or any interest therein without the prior written consent of the Finance Authority.

(c) Obtain and maintain the property rights necessary to operate and maintain the Drinking Water System, and in procuring any such rights, comply with federal and State law.

(d) Acquire and maintain insurance coverage acceptable to the Finance Authority, including fidelity bonds, to protect the Drinking Water System and its operations. All insurance shall be placed with responsible insurance companies qualified to do business under State law. Insurance proceeds and condemnation awards shall be used to replace or repair the Drinking Water System unless the Finance Authority consents to a different use of such proceeds or awards.

(e) Establish and maintain the books and other financial records of the Project (including the establishment of a separate account or subaccount for the Project) and the Drinking Water System in accordance with (1) generally accepted governmental accounting principles, as promulgated by the Government Accounting Standards Board and (2) the rules, regulations and guidance of the State Board of Accounts.

(f) Provide to the Finance Authority such periodic financial and environmental reports as it may request from time to time, including (1) annual operating and capital budgets and (2) such other information requested or required of the Finance Authority or the Participant by the Agency.

(g) Provide notice to the Finance Authority under the circumstances contemplated, and undertake inspections as required by SRF Policy Guidelines.

(h) (1) Establish and maintain just and equitable rates and charges for the use of and the service rendered by the Drinking Water System, to be paid by the owner of each and every lot, parcel of real estate or building that is connected with and uses the Drinking Water System, or that in any way uses or is served by the Drinking Water System, (2) establish, adjust and maintain rates and charges at a level adequate to produce and maintain sufficient revenue (including user and other charges, fees, income or revenues available to the Participant) to provide for the proper Operation and Maintenance of the Drinking Water System, to comply with and satisfy all covenants contained herein and to pay all obligations of the Drinking Water System and of the Participant with respect thereto, and (3) if and to the extent Bonds are payable from property taxes, levy each year a special ad valorem tax upon all property located in the boundaries of the Participant, to pay all obligations of the Participant with respect thereto.

(i) If the Bonds are payable from the revenues of the Drinking Water System, not borrow any money, enter into any contract or agreement or incur any other liabilities in connection with the Drinking Water System without the prior written consent of the Finance Authority if such undertaking would involve, commit or use the revenues of the Drinking Water System; provided that the Participant may authorize and issue additional obligations, payable out of the revenues of its Drinking Water System, ranking on a parity with the Bonds for the purpose of financing the cost of future additions, extensions and improvements to the Drinking Water System, or to refund obligations of the Drinking Water System, subject to the conditions, if any, in the Authorizing Instrument.

(j) Comply with the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000d et seq., the Age Discrimination Act, as amended, Public Law 94-135, Section 504 of the Rehabilitation Act of 1973, as amended (including Executive Orders 11914 and 11250), 29 U.S.C. Section 794, Section 13 of the Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, Executive Order 11246 regarding equal employment opportunity, and Executive Orders 11625 and 12138.

(k) Undertake all actions necessary to investigate all potential, material claims which the Participant may have against other persons with respect to the Drinking Water System and the Project and take whatever action is necessary or appropriate to (1) recover on any actionable, material claims related to the Project or the Planning, Design or Construction thereof, (2) meet applicable Project performance standards and (3) otherwise operate the Drinking Water System in accordance with applicable federal, State and local law.

(l) Not modify, alter, amend, add to or rescind any provision of the Authorizing Instrument without the prior written consent of the Finance Authority.

(m) In the event the Participant adopts an ordinance or resolution to refund the Bonds, within 5 days of the adoption of the ordinance or resolution, provide written notice to the Finance Authority of the refunding.

Section 3.03. Representations and Warranties of the Participant. After due investigation and inquiry, the Participant hereby represents and warrants to the Finance Authority that:

(a) The Participant is duly organized and existing under state law, and constitutes a "political subdivision" within the meaning of I.C. 13-11-2-164 and a "participant" within the meaning of I.C. 13-11-2-151.1. The Project and the Drinking Water System are subject to I.C. 8-1.5-2.

(b) The Participant and its Drinking Water System is subject to the jurisdiction of the Commission under I.C. 8-1-2 or any other applicable law, and the Commission has reviewed and approved the Project and the issuance of the Bonds and no additional approvals or consents are required to be obtained from the Commission related thereto.

(c) The Participant has full power and authority to adopt the Authorizing Instrument, enter into this Agreement and issue the Bonds and perform its obligations hereunder and thereunder.

(d) By all required action, the Participant has duly adopted the Authorizing Instrument and authorized the execution and delivery of this Agreement, the Bonds and all other papers delivered in connection herewith.

(e) Neither the execution of, nor the consummation of the transaction contemplated by, this Agreement nor the compliance with the terms and conditions of any other paper referred to herein, shall conflict with, result in a breach of or constitute a default under, any indenture, mortgage, lease, agreement or instrument to which the Participant is a party or by which the Participant or its property, including the Drinking Water System, is bound or any law, regulation, order, writ, injunction or decree of any court or governmental agency or instrumentality having jurisdiction.

(f) There is no litigation pending or, to the knowledge of the Participant, upon investigation, threatened that (1) challenges or questions the validity or binding effect of this Agreement, the Authorizing Instrument or the Bonds or the authority or ability of the Participant to execute and deliver this Agreement or the Bonds and perform its obligations hereunder or thereunder or (2) would, if adversely determined, have a significant adverse effect on the ability of the Participant to meet its obligations under this Agreement, the Authorizing Instrument or the Bonds.

(g) The Participant has not at any time failed to pay when due interest or principal on, and it is not now in default under, any warrant or other evidence of obligation or indebtedness of the Participant.

(h) All information furnished by the Participant to the Finance Authority or any of the persons representing the Finance Authority in connection with the Loan or the Project is accurate and complete in all material respects.

(i) The Participant has taken or will take all proceedings required by law to enable it to issue and sell the Bonds as contemplated by this Agreement.

Each of the foregoing representations and warranties will be deemed to have been made by the Participant as of the date of this Agreement and as of the date of any disbursement of Loan proceeds. Each of the foregoing representations and warranties shall survive the Loan disbursements regardless of any investigation or investigations the Finance Authority may have undertaken.

Section 3.04. Covenants Regarding Assignment. The Participant acknowledges that the Finance Authority may pledge, sell or assign the Bonds or cause the Bonds to be pledged, sold or assigned, and certain of its rights related thereto, as permitted pursuant to Section 5.02 herein. The Participant covenants and agrees to cooperate with and assist in, at its expense, any such assignment. Within 30 days following a request by the Finance Authority, the Participant

covenants and agrees with the Finance Authority that the Participant will, at its expense, furnish any information, financial or otherwise, with respect to the Participant, this Agreement, the Authorizing Instrument and the Bonds and the Drinking Water System as the Finance Authority reasonably requests in writing to facilitate the sale or assignment of the Bonds.

Section 3.05. Nature of Information. All information furnished by the Participant to the Finance Authority or any person representing the Finance Authority in connection with the Loan or the Project may be furnished to any other person the Finance Authority, in its judgment, deems necessary or desirable in its operation and administration of the Drinking Water SRF Program.

Section 3.06. Tax Covenants. The Participant hereby covenants that it will not take, or cause or permit to be taken by it or by any party under its control, or fail to take or cause to permit to be taken by it or by any party under its control, any action that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Bonds pursuant to Section 103 of the Code. The Participant further covenants that it will not do any act or thing that would cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code or "arbitrage bonds" within the meaning of Section 148 of the Code. In furtherance and not in limitation of the foregoing, the Participant shall take all action necessary and appropriate to comply with the arbitrage rebate requirements under Section 148 of the Code to the extent applicable to the Participant or the Bonds, including accounting for and making provision for the payment of any and all amounts that may be required to be paid to the United States of America from time to time pursuant to Section 148 of the Code.

Section 3.07. Non-Discrimination Covenant. Pursuant to and with the force and effect set forth in I.C. 22-9-1-10, the Participant hereby covenants that the Participant, and its contractor and subcontractor for the Project, shall not discriminate against any employee or applicant for employment, to be employed in the performance of this Agreement, with respect to the hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of race, color, religion, sex, disability, national origin or ancestry.

(End of Article III)

ARTICLE IV

DEFAULTS

Section 4.01. Remedies. The Finance Authority's obligation to make a disbursement under the Loan to the Participant hereunder may be terminated at the option of the Finance Authority, without giving any prior notice to the Participant, in the event: (a) the Participant fails to undertake or perform in a timely manner any of its agreements, covenants, terms or conditions set forth herein or in any paper entered into or delivered in connection herewith (including without limitation the Authorizing Instrument); or (b) any representation or warranty made by the Participant as set forth herein or in any paper entered into or delivered in connection herewith is materially false or misleading. Any such event shall constitute an event of default and in addition to any other remedies at law or in equity, the Finance Authority may (y) require the Participant to enter into a Bond Fund Agreement and the Participant shall enter into such an agreement within 5 days after any such demand and (z) without giving any prior notice, declare the entire outstanding principal amount of the Loan, together with accrued interest thereon, immediately due and payable.

Section 4.02. Effect of Default. Failure on the part of the Finance Authority in any instance or under any circumstance to observe or perform fully any obligation assumed by or imposed upon the Finance Authority by this Agreement or by law shall not make the Finance Authority liable in damages to the Participant or relieve the Participant from paying any Bond or fully performing any other obligation required of it under this Agreement or the Authorizing Instrument; provided, however, that the Participant may have and pursue any and all other remedies provided by law for compelling performance by the Finance Authority of such obligation assumed by or imposed upon the Finance Authority. The obligations of the Finance Authority hereunder do not create a debt or a liability of the Finance Authority or the State under the constitution of the State or a pledge of the faith or credit of the Finance Authority or the State and do not directly, indirectly or contingently, obligate the Finance Authority or the State to levy any form of taxation for the payment thereof or to make any appropriation for their payment. Neither the Finance Authority or the State, nor any agent, attorney, member or employee of the Finance Authority or the State shall in any event be liable for damages, if any, for the nonperformance of any obligation or agreement of any kind whatsoever set forth in this Agreement.

(End of Article IV)

ARTICLE V

MISCELLANEOUS

Section 5.01. Citations. Any reference to a part, provision, section or other reference description of a federal or State statute, rule or regulation contained herein shall include any amendments, replacements or supplements to such statutes, rules or regulation as may be made effective from time to time.

Section 5.02. Assignment. Neither this Agreement, nor the Loan or the proceeds thereof may be assigned by the Participant without the prior written consent of the Finance Authority and any attempt at such an assignment without such consent shall be void. The Finance Authority may at its option sell or assign all or a portion of its rights and obligations under this Agreement, the Authorizing Instrument, and the Bonds to an agency of the State or to a separate body corporate and politic of the State or to a trustee under trust instrument to which the Finance Authority, the State or any assignee is a beneficiary or party. The Finance Authority may at its option pledge or assign all or a portion of its rights under this Agreement, the Authorizing Instrument, and the Bonds to any person. The Participant hereby consents to any such pledge or assignment by the Finance Authority. This Agreement shall be binding upon and inure to the benefit of any permitted secured party, successor and assign.

Section 5.03. No Waiver. Neither the failure of the Finance Authority nor the delay of the Finance Authority to exercise any right, power or privilege under this Agreement shall operate as a waiver thereof, nor shall any single or partial exercise of any right, power or privilege preclude any other further exercise of any other right, power or privilege.

Section 5.04. Modifications. No change or modification of this Agreement shall be valid unless the same is in writing and signed by the parties hereto.

Section 5.05. Entire Agreement. This Agreement contains the entire agreement between the parties hereto and there are no promises, agreements, conditions, undertakings, warranties and representations, either written or oral, expressed or implied between the parties hereto other than as herein set forth or as may be made in the Authorizing Instrument and the other papers delivered in connection herewith. In the event there is a conflict between the terms of this Agreement and the Authorizing Instrument, the terms of this Agreement shall control. It is expressly understood and agreed that except as otherwise provided herein this Agreement represents an integration of any and all prior and contemporaneous promises, agreements, conditions, undertakings, warranties and representations between the parties hereto.

Section 5.06. Execution of Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be executed by the Finance Authority and the Participant, and all of which shall be regarded for all purposes as one original and shall constitute one and the same instrument.

Section 5.07. Severability of Invalid Provisions. If any one or more of the covenants or agreements provided in this Agreement on the part of the Finance Authority or the Participant to be performed shall be deemed by a court of competent jurisdiction to be contrary to law or cause the Bonds to be invalid as determined by a court of competent jurisdiction, then such covenant or covenants or agreement or agreements shall be deemed severable from the remaining covenants and agreements and waived and shall in no way affect the validity of the other provisions of this Agreement.

Section 5.08. Notices. All notices hereunder shall be sufficiently given for all purposes hereunder if in writing and delivered personally or sent or transmitted to the appropriate destination as set forth below in the manner provided for herein. Notice to the Finance Authority shall be addressed to:

Indiana Finance Authority
SRF Programs
(a) **100 North Senate, Room 1275**

Indianapolis, Indiana 46204
Attention: Director of Environmental Programs

or at such other address(es) or number(s) and to the attention of such other person(s) as the Finance Authority may designate by notice to the Participant. Notices to the Participant shall be addressed to:

City of Fort Wayne, Indiana
9th Floor, City County Building
One Main Street, Room 930
Fort Wayne, IN 46802-1804
Attention: Controller

or at such other address(es) or number(s) and to the attention of such other person(s) as the Participant may designate by notice to the Finance Authority. Any notice hereunder shall be deemed to have been served or given as of (a) the date such notice is personally delivered, (b) three (3) Business Days after it is mailed U.S. mail, First Class postage prepaid, (c) one (1) Business Day after it is sent on such terms by Federal Express or similar next-day courier, or (d) the same day as it is sent by facsimile transmission with telephonic confirmation of receipt by the person to whom it is sent.

Section 5.09. Expenses. The Participant covenants and agrees to pay (a) the fees, costs and expenses in connection with making the Loan, including issuing the Bonds and providing the necessary certificates, documents and opinions required to be delivered therewith; (b) the fees, costs and expenses in connection with making and administering the Loan; (c) the costs and expenses of complying with its covenants made herein; and (d) any and all costs and expenses, including attorneys' fees, incurred by the Finance Authority in connection with the enforcement of this Agreement, the Authorizing Instrument and the Bonds in the event of the breach by the Participant of or a default under this Agreement, the Authorizing Instrument or the Bonds.

Notwithstanding clause (b) above, the Participant shall not be obligated to pay any of the fees, costs and expenses in connection with administering the Loan except as follows: (1) the Finance Authority may request and the Participant shall promptly pay (no later than the date first above written), a closing fee in connection with the Loan in an amount determined by the Finance Authority, but not exceeding $1,000, which may not be paid from a Loan disbursement; (2) the Finance Authority may request and the Participant shall promptly pay (no later than thirty (30) days after any request), an annual administrative fee in connection with the Loan in an amount determined by the Finance Authority, but not exceeding $1,000, which may not be paid from a Loan disbursement; (3) the Finance Authority may request and the Participant shall promptly pay (no later than thirty (30) days after any request), a Non-Use Fee in connection with the Loan, which may not be paid from a Loan disbursement; (4) for so long as the Finance Authority is the registered owner of the Bonds, at the direction of the Finance Authority, the interest rate on the Bonds may be adjusted to lower the interest rate on the Bonds, and the difference between the amount payable as the original rate on the Bonds and the lower rate shall be deemed an additional administrative fee in connection with the Drinking Water SRF Program; and (5) the Participant shall only be obligated to pay fees, costs and expenses of the Finance Authority's counsel and financial advisers in connection with making the Loan up to $5,000, which may be paid from a Loan disbursement.

Section 5.10. Applicable Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Indiana.

Section 5.11. Term. This Agreement shall terminate at such time as the Participant has fully met and discharged all of its obligations hereunder, which term may extend beyond the final payment of the Bonds or provision for the payment of the Bonds pursuant to the Authorizing Instrument.

Section 5.12. Non-Collusion. The undersigned attests, subject to the penalties of perjury, that he/she is an authorized officer or representative of the Participant, that he/she has not, nor has any other officer or representative of the Participant, directly or indirectly, to the best of the undersigned's knowledge, entered into or offered to enter into any combination, collusion or agreement to receive pay, and that the undersigned has not received or paid any sum of money or other consideration for the execution of this Agreement other than that which appears upon the face of the agreement or is a payment to lawyers, accountants and engineers by the Participant related to customary services rendered in connection with the Loan.

(End of Article V)

[THE REMAINDER OF THIS PAGE HAS
BEEN INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers or officials, all as of the date first above written.

CITY OF FORT WAYNE, INDIANA

"Participant"

By: _____

Printed: _____

Title: _____

Attest: _____

INDIANA FINANCE AUTHORITY

"Finance Authority"

By: _____
James P. McGoff
Director of Environmental Programs

Attested and Reviewed by SRF Staff:

By: _____

EXHIBIT A

[This information will be from the description in the Preliminary Engineering Report and provided by the Finance Authority prior to Closing.]

The Project is more fully described in, and shall be in accordance with, and the Plans and Specifications approved by the Finance Authority (or if designated by the Finance Authority, the Department).

EXHIBIT B
Principal Payment Schedule

Date	Principal Amount
Total	

[Subject to the Finance Authority's approval, this information is to be supplied by the Participant's Financial Advisor prior to Closing.]

959007

[End of Bond Form]

12

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: April 7, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 2,263,575.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742 and Dechlorination Project – W.O. 75003.

Draw #24 and #25	CH2M Hill	$ 30,980.00
Draw #26	Donohue & Assoc.	8,022.00
Draw #27	Barton Malow	2,002,116.00
Draw #28	National City Bank	222,457.00
	Total SRF Payments	**$ 2,263,575.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

April 12 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: April 12, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $6,303.92 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

ASAP Software	PR #2	294.63
DELL Marketing	PR #2	2,316.37
DISYS	PR #2	756.00
Office Depot	PR #2	2,936.92
Tessco	PR #2	-
Total for Payment Requests		**$ 6,303.92**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

April 12, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: April 12, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,500.00 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

Wells Fargo Bank, N.A.	1,500.00
Total for Payment Requests	**$ 1,500.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

April 12, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: April 12, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $8,751.27 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

ASAP Software	PR #1	2,062.41
DELL Marketing	PR #1	6,503.48
Fort Wayne Newspapers	PR #1	185.38
Total for Payment Requests		**$ 8,751.27**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

April 12, 2006
Date

IMPROVEMENT RESOLUTION NO. 7051-05

MCCORMICK AVENUE
WORK ORDER NO. 11876

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: TOTAL RECONSTRUCTION OF STREET, SIDEWALKS, DRIVE APPROACHES, CURBS, 12" & 15" STORM SEWER, INLETS, MANHOLE, 6"WATER LINE, AND MULCH SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 12th day of April, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey

Ryan P. Chasey, Member

ATTEST: Marilyn Huth

Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT; MCCORMICK AVENUE
REDWOOD AV. TO COLISEUM BLVD.
DATE: APRIL 6, 2006

RES. NO.: 7051-05

W.O. NO.: 11876

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	240	SY	5.00	1200.00
2.	Removal of Curb, Undistributed	16	LF	6.00	96.00
3.	Common Excavation	1350	CY	8.00	10800.00
4.	Concrete Sidewalk (4")	460	SY	24.00	11040.00
5.	Concrete Curbface Sidewalk (4") Undistributed	70	SY	45.00	3150.00
6.	Concrete Wingwalk & Ramps (6")	90	SY	40.00	3600.00
7.	Concrete Steps, Undistributed	15	CY	55.00	825.00
8.	Concrete Curb Type II-B	1120	LF	10.00	11200.00
9.	Concrete Curb Type III Undistributed	16	LF	11.00	176.00
10.	Removal of Concrete Pavement	10	SY	7.00	70.00
11	Concrete Pavement for Residential Drive (6")	110	SY	30.00	3300.00
12	Concrete Pavement for Commercial Drive (8")	20	SY	40.00	800.00
13	Milling, Undistributed	40	SY	5.00	200.00
14	Bituminous Binder, No.#8 or #9, HAC	400	TON	40.00	16000.00
15	Bituminous Surface, No. #11, HAC	150	TON	42.00	6300.00
16	Bituminous Material for Tack Coat @ 0.06 Gal / SY	2	TON	100.00	200.00
17	Top Soil	200	TON	15.00	3000.00
18	Mulched Seeding,	1500	SY	1.50	2250.00
19	Water Valves (Curb-Box) Adjusted to Grade Undistributed	2	EA	35.00	70.00
20	Valve Box Adjusted to Grade (Pavement, Sidewalk, Parkstrip) Undistributed	1	EA	45.00	45.00
21	Water Valves (Valve-Box) Furnish And Adjust To Grade, Undistributed	2	EA	100.00	200.00
22	Special Concrete Side Walk With Retaining Wall, Undistributed	215	LF	14.00	3010.00
23	Tree, Prune & Fertlize, Lot 18	1	EA	100.00	100.00
24	Fertlize Tree, Lot 47	1	EA	70.00	70.00
25	Tree Replacement:, Install Size (2") For Lot 85 Both Sugar Maple or Honey Locust	2	EA	300.00	600.00
26	Move and Lower 6" Water Main, Including Materials And Labor	1	LS	16000.00	16000.00

27	12" Pipe, Reinforced Concrete, Class IV For Pipe Connection	96	LF	10.00	960.00
28	15" Pipe, Reinforced Concrete, Class IV For Pipe Connection	272	LF	14.00	3808.00
29	2x2 Inlet With Type "II-C" Casting	3	EA	1000.00	3000.00
30	2x3 Inlet With Type "IV-E" Casting	1	EA	1250.00	1250.00
31	Standard 48" Inch Manhole, Type "I-B" Casting	1	EA	3000.00	3000.00
32	Standard 48" Inch Manhole, Type "I-C" Casting	1	EA	3000.00	3000.00
33	Standard 48" Inch Manhole, Type "I-E" Casting	1	EA	3000.00	3000.00
34	Backfill Behind Curb (Borrow)	80	TON	5.00	400.00
35	Detector Housing	1	EA	750.00	750.00
36	Saw Slot And Sealer	100	LF	10.00	1000.00
37	1c/14 Loop Cable	300	LF	0.50	150.00
38	2c/16 Shielded	100	LF	1.25	125.00
39	2" Steel Conduit	30	LF	15.00	450.00
40	Bed Course Material For, Drive Approches And Walks	250	TON	10.00	2500.00
41	Type "O" Compacted Aggregate for Base 4" Inches, No.53	750	TON	12.50	9375.00
42	Type "O" Compacted Aggregate for Base 6" Inches, No.1 or No.2	950	TON	12.50	11875.00
43	Tree Removal: (2",6",12" & 36") Ave.14" size Including Removal Of Stump	4	EA	350.00	1400.00
44	Clearing Right-Of-Way, Bushes, Tree limbs Encroaching	1	LS	600.00	600.00
45	V-Loc For Yield Sign Support	2	EA	10.00	20.00
46	Linear Grading	250	LF	45.00	11250.00
47	Transverse Markings, Thermoplastic, Stop Line, 24 inch	11	LFT	10.00	110.00
48	Construction Sign, A	8	EA	80.00	640.00
49	Arrow Board, For Tempoary Rt. Lane Closure	2	DAYS	200.00	400.00
50	Construction Sign, A, For Coliseum Lane Closure Tmeporary Rt. Lane Closed Ahead Sign	2	DAY	80.00	160.00
51	Construction Sign, A, Temporary For Coliseum Lane Closure Lane Transistion Sign	2	DAY	80.00	160.00
52	Standard Barricade, Type III - B With Road Closed Sign	8	EA	125.00	1000.00
53	Standard Barricade, Type II - B	20	EA	28.00	560.00
54	Maintenance of Traffic	1	LS	6209.00	6209.00
55	Mobilization / Demobilization	1	LS	8071.00	8071.00

SUB-TOTAL:	**169525.00**
E&I @20%	33905.00
TOTAL:	**$203,430.00**

IMPROVEMENT RESOLUTION NO. 7085-06

ARLINGTON PARKWAY NORTH & ST. JOE CENTER ROAD TRAFFIC SIGNAL WORK ORDER NO. 78036

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

ARLINGTON PARKWAY NORTH & ST. JOE CENTER ROAD INTERSECTION BY INSTALLING A NEW TRAFFIC SIGNAL SYSTEM.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 12th day of April, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey

Ryan P. Chasey, Member

ATTEST: Marilyn Huth

Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Arlington Parkway and St. Joe Center Road Traffic Signal RES. NO.: 7085-06

DATE: 4/20/2006 W.O. NO.: 78036

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Detector Housing	6	ea	500.00	3000.00
2	Saw Slot & Sealer	850	lft	10.00	8500.00
3	1C/14 Loop Cable	2600	lft	0.30	780.00
4	2C/16 Shielded	1250	lft	1.25	1562.50
5	3C/8 Service Cable	100	lft	1.80	180.00
6	5C/14 Signal Cable	600	lft	1.50	900.00
7	12c/14 Signal Cable	650	lft	2.00	1300.00
8	Signal Service	1	ea	500.00	500.00
9	Signal Strain Pole, Steel, 30 ft.	4	ea	3500.00	14000.00
10	Signal Pole Foundation	4	ea	1800.00	7200.00
11	Controller & Cabinet	1	ea	8500.00	8500.00
12	Controller Foundation, P-1	1	ea	600.00	600.00
13	Span, Catenary, and Tether	4	ea	1400.00	5600.00
14	Disconnect Hanger	4	ea	250.00	1000.00
15	Handhole	5	ea	750.00	3750.00
16	Traffic Signal Head, 3-Section, 12", (R,A,G) all LED's	8	ea	710.00	5680.00
17	Pedestrian Signal Indication w/International Symbols w/ "Leds'	2	ea	500.00	1000.00
18	Pedestrian Push Button w/ sign	2	ea	150.00	300.00
19	2" Galvanized Steel Conduit	1015	lft	12.00	12180.00
20	Line, Thermoplastic, Solid, White, 6 in., Crosswalk	100	lft	1.00	100.00
21	Transverse Marking, Thermoplastic, Stop Line 24 in.	85	lft	6.00	510.00
22	Sign, Sheet, Encapsulted Lens w/Legend, 0.125 in Thickness	90	sft	20.00	1800.00
23	Miscellaneous Traffic Signal Equipment	1	LS	1000.00	1000.00
24	Maintenance of Traffic	1	LS	5000.00	5000.00
25	Construction Sign Type A	9	ea	75.00	675.00
26	Mobilization & Demobilization	1	LS	5000.00	5000.00

TOTAL: 90617.50

27

COPY

April 13, 2006

Baker & Daniels LLP
Mr. Jon A. Bomberger
111 E. Wayne Street
Suite 800
Fort Wayne, IN 46802

Re: Resolutions #93-4-5-06-1 and #93-4-5-06-2

Dear Jon,

Enclosed are the copies of the above referenced Resolutions and a copy of the Board of Public Works Minutes for April 5, 2006.

We no longer go into lengthy detail with the minutes. We do videotape each Board of Public Works meeting and a copy is available for viewing at any time here in our office.

If you have any questions, please feel free to give me a call at 427-6956.

Sincerely,

Marilyn Huth, Clerk
BOARD OF PUBLIC WORKS

Enc.

/mh

COPY

APPEAL TO THE BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

Please accept this letter of appeal regarding the assessment on 4308 Reed.

under Resolution # 1715-2004 which was due on September 16, 2005.

I neglected to returned the signed waiver on time because:

I was in transition at the time waiver was sent. I am temporarily on the East Coast working (Delaware) and for some reason I did receive these waiver, or did not receive them on time. At this time I am able to get the payments caught then make regular payments

I would like your permission to be allowed to sign the waiver to pay the assessment over

20 years at 5 % interest.

Sincerely,

Signature

DURREL JAMES

Printed Name

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

April 19th, 2006

Date

04-11-06PUT:10 RCVD

15

Payment Slip

BL-0002319

CITY of FORT WAYNE BARRETT LAW
420 City-County Building
Fort Wayne, Indiana 46802
(260) 427-1105

Account No. 10032R-003
Barrett No. 10032r
Prop Key 02-08-28-101-003.000-072
Resolution # 1715-2004
Bond Series R-1309
Pay # ASSESSMENT

Principal:	$6,000.00
Current Interest:	$0.00
Future Interest:	$0.00
Delinquency:	$350.00
Amt Paid:	$0.00
TOTAL PAYMENT DUE:	$6,350.00

JAMES DURREL A

4308 REED RD
FORT WAYNE, IN46815

Date Due: 4/14/2006

Payment Date: _____

Payment Amount: _____

Signature: _____

Approved by State Board of Accounts for City of Fort Wayne, 2003

please detach at this line and return top portion with payment

BL-0002319

MAKE CHECKS OR MONEY ORDERS PAYABLE TO:

CITY OF FORT WAYNE BARRETT LAW
420 City-County Building
Fort Wayne, Indiana 46802
(260) 427-1105

Property Key 020828101003000
Prop Address 4308 REED RD
Legal Description GUY R BELLS SUB N 120 OF S 320FT LOT 1

INSTRUCTIONS FOR BARRETT LAW PAYMENTS

If you are paying by **mail** address the envelope to:

CITY OF FORT WAYNE BARRETT LAW
420 City-County Building
Fort Wayne, Indiana 46802
(260) 427-1105

If you are paying in **person:**

Take a copy of your statement to Room 420, on the 4th floor, City-County Building during the hours of 7:00 A.M. and 4:00 P.M.

Account No. 10032R-003
Barrett No 10032r Pay No ASSESSMENT
Resolution No 1715-2004 Bond Series R-1309

Principal:	$6,000.00
Current Interest:	$0.00
Future Interest:	$0.00
Delinquency:	$350.00
Amt Paid:	$0.00
TOTAL PAYMENT DUE	$6,350.00

NOTICE: Examine bills carefully before paying them; see that descriptions are correct. All payments will be applied as follows: any delinquency, interest, then principal.

1. Any payment received after the legal date will be charged with a delinquent amount that will be 10% APR of the amount of the payment that was due "on or before the legal date". Such delinquency shall before the first day of June be certified to the County Auditor and the property shall be subject to sale as for taxes following such Certification.
2. Please mail in office copy.
3. Please notify us of any change in name or address.
4. If you have any questions, please call us at the above telephone number. *Thank you.*

ACCEPTED ONLY THROUGH LEGAL DATE 04/14/2006

JAMES DURREL A

4308 REED RD
FORT WAYNE, IN46815

DAU'S ADDITION
STORMWATER SYSTEM IMPROVEMENTS
RESOLUTION NO. 1794-2006

RESOLUTION by the Board of Storm water Management of the City of Fort Wayne, Indiana, that:

Orders the construction of approximately 2200 LF of 12-inch to 15-inch storm sewer pipe with all appurtenant inlet structures, associated with the drainage improvement of Danny, Billy, And Dau Drives off Lima Road between Till road and Dupont road.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "DAU'S ADDITION STORMWATER SYSTEM IMPROVEMENTS".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY REVENUE BOND FUNDS.

Declares the "DAU'S ADDITION STORMWATER SYSTEM IMPROVEMENT" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "DAU'S ADDITION STORMWATER SYSTEM IMPROVEMENT" project is of public utility and benefit.

Declares the "DAU' STORMWATER SYSTEM IMPROVEMENT" project does not require the acquisition of property rights.

Declares the engineer's estimate of "DAU'S ADDITION STORMWATER SYSTEM IMPROVEMENT" project's total cost is $354,000.

Declares the "DAU'S ADDITION STORMWATER SYSTEM IMPROVEMENTS" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 19th **DAY OF** April, **2006**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Greg Meszaros, Chairman

BY: John Suarez
John Suarez, Member

BY: Regina A. Kostoff
Regina A. Kostoff, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

STREET LIGHT RESOLUTION

NUMBER 304-06

(B.L. #50050R)

EAST DRIVE AND WEST DRIVE STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, having been petitioned by certain property owners of East Drive & West Drive hereby deems it necessary to install an updated ornamental street light system on East Drive & West Drive, more specifically defined as: starting at the north right-of-way of Dodge Avenue in a northern direction to the south right-of-way of Curdes Avenue; all in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded by 3rd Council District 2006 CEDIT Funds and the real estate abutting on said improvements. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Ryan P. Chasey – Member

ATTEST:

Marilyn Huth – Clerk

Dated this 19th day of April, 2006

KENWOOD AV.
CURDES AVENUE
DODGE AVENUE
STATE BOULEVARD
WEST DRIVE
EAST DRIVE
CRESCENT DRIVE
FOREST PARK BOULEVARD
FLORIDA
ANTHONY BOULEVARD

IMPROVEMENT RESOLUTION NO. 7082-06

PUBLIC SIDEWALK CURB RAMP PACKAGE B - 2006
WORK ORDER NO. 11909

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: ADA curb ramps at the intersections of:
Preakness Cove and Derby Ln
Welshire Blvd and Derby Ln
Asher Dr and Trotter
Trotter Trotter - eyebrow
Country Park Ln and Meadows Ct
Country Park Ln and Briarwood
Country Park Ln and Wayward Ct
Country Park Ln and Greenbank Ct
Oklahoma Tr and Pleasure Ct
Oklahoma Tr and Goeglein Rd
Oklahoma Tr and Utah Dr
Bluffside Ave and Sunbury Drive
Oklahoma Tr and Montana Dr
Santa Fe Tr and Utah Dr
Idaho Dr and Iowa Ct
Idaho Dr and Colorado Ct
Casa Grande Circle and Casa Grande Dr
Casa Grande Ct and Casa Grande Dr
Glenoak Parkway and Casa Grande Dr
Glenoak Parkway and Springbrook
Wishing Well and Springbrook
Wishing Well and Country Dale Dr
Hope Farm Rd and Antebellum Blvd
Hope Farm Rd and Glouchester
Country View Dr and Glouchester
Trier Rd and Casa Grande Dr
Glen Oak Pkwy and Glouchester
Valley Ct and Temberton Way
Temberton Way and Country Court
Maplecrest, Entrance to Scotts
Chivington Dr and Skyhawk
Chickasaw Dr and Whetstone Ln
Bristors and Hallowell Pl
Hunters Knoll Run: Between Wallen/Water meade
Hunters Knoll Run andWater Meade Pl
Hunters Knoll Run: Between Water Meade/Fox Orchard
Hunters Knoll Run: Between Fox Orchard/Cul-De-Sac To South
Deer Brook Pl: Between Fox Orchard/Cul-De-Sac to South
Deer Brook Pl: Fox Orchard Run
Deer Brook Pl: Between Fox Orchard/Cul-De-Sac to North

Fox Orchard Run: Between Deer Brook/Addition to East
Fox Orchard Run and Summerset Pl
Summerset Pl: Between Fox Orchard/Cul-De-Sac to South
Summerset Pl: Between Fox Orchard/Cul-De-Sac to North
Fox Orchard Run: Between Summerset/Chapel Hill
Fox Orchard Run and Chapel Hill Pl
Fox Orchard Run and Victoria Woods Pl
Victoria Woods Pl: Between Fox Orchard/Cul-De-Sac to North
Victoria Woods Pl: Between Fox Orchard/Cul-De-Sac to South
Falcons Run and Dove Nest Cove
Falcons Run north of Doves Nest Cove

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 19th day of April, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Public Sidewalk Curb Ramps PKG B - 2006

DATE: 4/13/2006 RES. NO.: 7082-06

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete (Includes Sidewalk, Wingwalk, Curbface Walk & Pavement)	2512	SY	7.00	17584.00
2.	Removal of Curb	2200	LF	5.00	11000.00
3.	Concrete Curb Type I-B	500	LF	16.00	8000.00
4	Concrete Curb Back of Sidewalk	50	LF	16.00	800.00
5.	Concrete Wingwalk And Curb Ramps	1471	SY	45.00	66195.00
6.	Concrete Sidewalk (4")	1035	SY	28.00	28980.00
7.	Concrete Curbface Walk (6")	20	SY	30.00	600.00
8.	Concrete Pavement For Residential Drives (6")	14	SY	30.00	420.00
9.	Cement Concrete Pavement Plain, 6" (Includes Type I - A Curb)	141	SY	30.00	4230.00
10.	Compacted aggregate for base "O" - #53 (For Pavement)	20	TON	15.00	300.00
11.	"J" Bolts	35	EA	10.00	350.00
12.	Adjust Casting To Grade	10	EA	150.00	1500.00
13.	Furnish and Adjust Casting Type " C "	18	EA	450.00	8100.00
14.	Remove & Replace With New Inlet Type I-C	5	EA	1500.00	7500.00
15.	Water Valves Adjusted To Grade	10	EA	50.00	500.00
16.	Bed Course Material	285	TON	15.00	4275.00
17.	Top Soil	209	TON	15.00	3135.00
18.	Mulched Seeding	850	SY	2.00	1700.00
19.	Construction Signs Type "A"	32	EA	50.00	1600.00
20.	Fertilize Trees	8	EA	40.00	320.00
21.	Maintenance of Traffic	1	LS	7000.00	7000.00
22.	Mobilization and Demobilization	1	LS	6000.00	6000.00
23	Curb for Back of Wingwalk (Undistributed)	60	LF	10.00	600.00
24	Underdrain, 6" Perforated Plastic, Group "K" (Includes No. 8 Stone)	45	LF	8.00	360.00
25	Pipe, 12" Diameter Ductile Iron (Including Backfill)	45	LF	40.00	1800.00
26	Pipe, 12" R.C.P. (Class IV) (Including Backfill)	40	LF	35.00	1400.00
27	Line, Thermoplastic, Solid, White, 6 in (For Crosswalks)	80	LF	3.00	240.00

SUB-TOTAL:	184489.00
E&I @25%	46122.25
TOTAL:	230611.25

GENERAL PIPE BURSTING 2006
RESOLUTION NO. 1813-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Approximately 2330 LF of sanitary/combination sewer is to be rehabilitated by means of pipe bursting, a semi-trenchless technology.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **GENERAL PIPE BURSTING 2006**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $385,000.

APPROVED THIS 26th DAY OF April, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7086-06

GREENWAY TRAILS
WORK ORDER NO. 11943

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: GREENWAY TRAILS ON THE ST. MARY'S RIVER FROM LAWTON PARK TO TILLMAN PARK TO INCLUDE RECONSTRUCTION AND RESURFACING, DRAINAGE AND RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 26th day of April, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Greenway Trails RES. NO.: 7086-06

DATE: 4/21/06

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Surface Milling, Bituminous Butt Joints	80	SY	20.00	1600.00
2.	Bituminous Material for Tack Coat	5	TN	250.00	1250.00
3.	Bituminous Binder, No. 8/9, HMA (Undistributed Quantity)	225	TN	65.00	14625.00
4.	Bituminous Surface, No. 12, HMA	870	TN	70.00	60900.00
5.	Bituminous Mix for Patching (Undistributed Quantity)	160	TN	75.00	12000.00
6.	New Inlet Type " I - G "	1	EA	1000.00	1000.00
7.	Underdrain, 8" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	150	LF	20.00	3000.00
8.	No. 2 Aggregate for Drainage Swells	100	TON	20.00	2000.00
9.	PIPE, PVC , 12 " (schedule 35) (include # 8 stone for bedding)	30	LF	30.00	900.00
10.	Rip-Rap Grouted 12" Depth	540	SY	20.00	10800.00
11.	Common Excavation	275	CYS	25.00	6875.00
12.	Peeling Back of Edges and Cleaning of the Trail	20400	LF	1.00	20400.00
13.	Edge Restroration (Incl. Top Soil & Mulched Seeding)	20400	LF	1.00	20400.00
14.	Temporary Access Restroation (Incl. Top Soil & Mulched Seeding) **UNDISTRIBUTED QUANITITY**	2000	SY	3.00	6000.00
15.	Manhole Adjusted to Grade	1	EA	200.00	200.00
16.	Water Valve Adjusted to Grade	1	EA	50.00	50.00
17.	Detector Houseing Furnished & Adjusted to Grade	1	EA	480.00	480.00
18.	2" Conduit	10	LF	9.50	95.00
19.	Saw & Furnished Loops	65	LF	10.00	650.00
20.	Detector Feeder Cable	650	LF	0.50	325.00
21.	Removal of Dector Houseing	2	EA	500.00	1000.00
22.	Maintenance of Traffic	1	LS	8147.50	8147.50
23.	Mobilization and Demobilization	1	LS	6518.00	6518.00

SUB-TOTAL: 179215.50
E&I @16% 28674.48

TOTAL: $207,889.98

Revised: 02-13-04

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: April 26, 2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $2,704.61 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

ACS	PR #31	1,204.61
Wells Fargo	PR #31	1,500.00
	Total for Payment Request #31	**$ 2,704.61**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

April 26, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: April 26, 2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $120,000.00 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Robert E Crosby	PR #32	120,000.00
	Total for Payment Request #32	**$ 120,000.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

April 26, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: April 26, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $3,656.79 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

ASAP Software	PR #3	294.63
DELL Marketing	PR #3	3,233.16
CDW Government	PR #3	129.00
	Total for Payment Request	**$ 3,656.79**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

April 26, 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: April 19, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2002**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 5,800.00** to be paid from 2002 State Revolving Funds. This expense is for the WPCP Headworks project – W.O. 74595.

Draw #143	Donohue & Associates	$ 300.00
Draw #144	Vulcan Industries, Inc.	5,500.00
	Total SRF Payments	**$ 5,800.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

April 26, 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: April 19, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 296,045.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742, Dechlorination Project – W.O. 75003 and Parkerdale Sanitary Sewer Extension – W.O. 74750.

Draw #29	CH2M Hill	$ 2,847.00
Draw #30	Donohue & Assoc.	45,180.00
Draw #31	Geiger Developing	223,216.00
Draw #32	Tower Bank	24,802.00
	Total SRF Payments	**$ 296,045.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

April 26, 2006
Date

CONCORDIA GARDENS – RIVERTON DRIVE
STORMWATER SYSTEM IMPROVEMENTS
RESOLUTION NO. 1806-2006

RESOLUTION by the Board of Storm water Management of the City of Fort Wayne, Indiana, that:

Orders the construction of approximately 1875 LF of 12-inch to 30-inch storm sewer pipe with all appurtenant manhole, inlet and drainage outfall structures, associated with the drainage improvement of the Riverton Drive area in the Concordia Gardens Addition.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "CONCORDIA GARDENS – RIVERTON DRIVE STORMWATER SYSTEM IMPROVEMENTS".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY REVENUE BOND FUNDS.

Declares the "CONCORDIA GARDENS – RIVERTON DRIVE STORMWATER SYSTEM IMPROVEMENTS" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "CONCORDIA GARDENS – RIVERTON DRIVE STORMWATER SYSTEM IMPROVEMENTS" project is of public utility and benefit.

Declares the "CONCORDIA GARDENS – RIVERTON DRIVE STORMWATER SYSTEM IMPROVEMENTS" project does require the acquisition of property rights (one permanent drainage easement).

Declares the engineer's estimate of "CONCORDIA GARDENS – RIVERTON DRIVE STORMWATER SYSTEM IMPROVEMENTS" project's total cost is $375,000.

Declares the "CONCORDIA GARDENS – RIVERTON DRIVE STORMWATER SYSTEM IMPROVEMENTS" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 3rd **DAY OF** May, **2006**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Greg Meszaros, Chairman

BY: _____
John Suarez, Member

BY: _____
Regina A. Kostoff, Member

BY: _____
Marilyn Huth, Clerk

57

IMPROVEMENT RESOLUTION NO. 7088-06

PUBLIC SIDEWALK CURB RAMP PACKAGE A - 2006
WORK ORDER NO. 11908

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Alley construction adjacent to 1115 Capitol Avenue, curb reconstruction on Pettit Avenue from 1424 to 1520 - south side only, curb ramp reconstruction at the N/W and N/E corners of Monogene Drive at Cloverbrook Drive, curb ramp reconstruction of the S/W corner of Berry Street at Harrison Street, and curb ramp reconstruction of the intersection of Bluffton Road at Lower Huntington Road.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 3rd day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Public Sidewalk Curb Ramps A - 2006

RES. NO.: 7088-06

DATE: 4/24/2006

W.O. NO.: 11908

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	875.00	875.00
2.	Removal of Concrete	305	SY	6.00	1830.00
3.	Removal of Curb	165	LF	5.00	825.00
4.	Backfill Behind Curb (Borrow)	22	TN	5.00	110.00
5.	Bed Course Material	50	TN	10.00	500.00
6.	Asphalt / Concrete Pavement Patching	35	SY	25.00	875.00
7.	"V-Loc" Sign Support, "Undistributed"	1	EA	50.00	50.00
8.	Concrete Curb Type II-A	136	LF	10.00	1360.00
9.	Concrete Curb Type III	15	LF	20.00	300.00
10.	Concrete Curb, Standard "Undistributed"	10	SY	25.00	250.00
11.	Concrete Sidewalk (4")	76	SY	25.00	1900.00
12.	Concrete Wingwalk & Ramps (6")	339	SY	34.00	11526.00
13.	Concrete Pavement for Commercial Drive (8")	15	SY	38.50	577.50
14.	Concrete Pavement for Alley (7")	23	SY	36.00	828.00
15.	Water Valves (Curb-Box) Adjusted to Grade	6	EA	25.00	150.00
16.	Water Valves (Valve-Box) Adjusted to Grade to Grade	2	EA	45.00	90.00
17.	Casting, Type C, Furnished & Adjusted to Grade	5	EA	375.00	1875.00
18.	Casting, Type F, Furnished & Adjusted to Grade	1	EA	375.00	375.00
19.	Castings Adjusted to Grade	2	EA	180.00	360.00
20.	Casting, Curb-Box, Adjust to Grade	2	EA	75.00	150.00
21.	Tree, Fertlize	4	EA	75.00	300.00
22.	Construction Sign, A	11	EA	75.00	825.00
23.	Mulched Seeding	180	SY	1.00	180.00
24.	Top Soil	25	TN	15.00	375.00
25.	Maintenance Of Traffic	1	EA	500.00	500.00

SUB-TOTAL:	26986.50
E&I @16%	4317.84
TOTAL:	**$31,304.34**

IMPROVEMENT RESOLUTION NO. 7090-06

SURFACE MILLING FOR STREET DEPT.
WORK ORDER NO. 11950

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve the following streets by surface milling and cleaning in preparation for resurfacing:

Evergreen Ln.: Trier Rd. to Oakpark Dr.
Oakpark Dr: Evergreen Ln. to Hampshire
Chaucer Rd.: Reed Rd. to Corydon Ct.
Corydon Ct.: Chaucer Rd. to Midlothian Dr.
Midlothian Dr.: Corydon Ct. to Reed Rd.
Trick Ave.: Sherman Blvd. to west to concrete
Sheratan Dr.: Trick Ave. to Louisdale Dr.
Louisdale Dr.: Sheratan Dr. to west to concrete
Wallace St.: Calhoun St to Clinton St.
Catalpa St.: Taylor St to Jefferson Blvd.
Hanna St: Tillman Rd. to Prestwick

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 3rd day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Surface Milling 2006

RES. NO.:7090-06

DATE:4/24/2006

W.O. NO.: 11950

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Surface Milling, Asphalt	36000	SY	1.50	54000.00
2.	Mobilization / Demobilization	1		5000.00	5000.00
3.	Maint. Of Traffic	1		10000.00	10000.00
4.	Construction Signs, Type A With Construction Warning Light Type A	25	EA	100.00	2500.00

SUB-TOTAL: 71500.00

E&I @25% 17875.00

TOTAL: $89,375.00

THIRD STREET RELAY PROTECTION REPAIR
EMERGENCY RESOLUTION NO. 1862-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Whereas, the Water Pollution Control Plant operations require reliable electrical facilities, and

Whereas, pump 3 switchgear controls (along with associated control wire) has failed and communication between the station and the plant is currently idle, and

Whereas, the vulnerability from the lack of controls/communication increases the risk of basement backups, and

Whereas, the scope of this relay protection repair project is beyond the capabilities of Water Pollution Control Plant O&M staff, and

Whereas, two competitive quotations from electrical contractors have been solicited for labor, and

Whereas, Moorehead Electric was the lowest bidder in the amount of $1,500.00, and

Whereas, GE Supply will supply the control equipment in the amount of $4,823.04, and

Therefore, the BOW hereby authorizes this Emergency Resolution.

Therefore, the BOW authorizes City Purchasing to issue a purchase order for this project.

Declares the cost of the said improvements shall be paid by the funds from Fort Wayne Sewer Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $10,000.

APPROVED THIS 3rd DAY OF May, 2006.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan P. Chasey, Member

ATTEST: _____
Marilyn Huth, Clerk

APPEAL TO THE BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair
John Suarez, Member
Ryan Chasey, Member

Please accept this letter of appeal regarding the assessment on _3315 Inwood Drive__ under Resolution #_7047-2005__ which was due on _March 17, 2006_____.

I neglected to returned the signed waiver on time because:

I'm AN OVERTHE ROAD TRUCK DRIVER, home INFREQUENTLY. I HAD SEEN INFORMATION ON The project & CALLED 2 DAYS After The DEAD LINE. When I CALLED I WAS TOLD The DATE HAD PASSED. I AM ASKING FOR AN EXTENTION SO I CAN PAY OVER TIME The AMMOUNT OWED By Me. YOUR Help IS APPRECIATED IN THIS MATTER.

I would like your permission to be allowed to sign the waiver to pay the assessment over 10 years at 5_% interest.

Sincerely,

James W Anderson
Signature

_James Anderson_____
Printed Name

Regina A. Kostoff
Regina A. Kostoff, Chair

John Suarez
John Suarez, Member

Ryan P. Chasey
Ryan P. Chasey, Member

May 3rd, 2006
Date

Approved by State Board of Accounts for City of Fort Wayne, 2003

City of Fort Wayne

BARRETT LAW

NUMBER ONE EAST MAIN STREET, ROOM 420

FORT WAYNE, IN 46802

BL-0002920

NOTICE OF ASSESSMENT

Account No. 30176R021

ANDERSON JAMES W

3315 INWOOD DR

FORT WAYNE, IN46815

Approved Date: 2/15/2006

Barrett Number: 30176R

Resolution Number: 7047-05

Property Key: 02-08-29-377-011.000-072

3315 INWOOD DR

GLENWOOD PARK SEC 11 LOT 337

Your assessment is now due and must be paid by cash, check, money order, or bonded. Assessments under $100.00 cannot be bonded.

DUE ON OR BEFORE 3/17/2006

*Delinquent fees will be added after the due date.

PROJECT TYPE	# OF UNITS	UNIT COST	ASSESSED AMOUNT	MISC. CHARGES	ADJUSTMENT	TOTAL
H - DRIVE AP	32.69	$21.32000000	$696.95	$0.00	($107.12)	$589.83
C - CURB	85.00	$8.80000000	$748.00	$0.00	$0.00	$748.00

Please Pay This Amount **$1,337.83**

This is a VALID RECEIPT WHEN STAMPED PAID BY COLLECTING OFFICER. Please see that descriptions are correct. When paying by mail, this statement must be returned with a self-addressed, stamped envelope if a receipt is desired.

PHONE: 427-1105 **Make Check Payable To: CITY OF FORT WAYNE BARRETT LAW**

Waiver and Demand of Property Owners

The undersigned against whose real estate an assessment was made on the above approved date according to Barrett No. 30176R, per description given in consideration for having the right to pay said assessments in installments, hereby agree each for himself that he will not make any objections to said assessments for illegality or irregularity, and that he will pay the same at 5.00% interest thereon.

Any property owner who has signed a waiver to pay his/her assessment in deferred installments may, at any time, pay up his/her entire assessment, on the condition that he/she at the same time, pay all interest due on a minimum of the first 1/5 of the installments and the balance of principal due.

If any account is six months or more delinquent, the total assessment (all installments of principal and interest) are considered to be in default and the entire account will be certified to the Allen County Auditor for tax sale before June 1st. of the calendar year following delinquency.

PLEASE SELECT ONE OF THE FOLLOWING OPTIONS

ONE PAYMENT PER YEAR FOR 10 YEARS _____ ONE PAYMENT PER MONTH FOR 10 YEARS _____

If you wish to bond this assessment and return waiver by mail, you must sign this "waiver" section by the above due date. Signatures of all recorded property owners are required and must be notarized if mailed. If the waiver is signed by at least one owner and witnessed in the Barrett Law Office, notarization is not required; however, all owner's signatures must be on the waiver.

Signature: _____

Signature: _____

Installment notices to be mailed to: _____

_____

Subscribed and sworn before me this _____ day of _____ 20 _____

PRINTED NAME OF NOTARY NOTARY'S SIGNATURE

_____ My Commission Expires _____

COUNTY OR RESIDENCE

IMPROVEMENT RESOLUTION NO. 7091-06

RESURFACING PACKAGE C - 2006
WORK ORDER NO. 11948

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **The 4th District by milling, resurfacing, adjusting castings to grade, and striping.**

Bittersweet Moors Dr: Jefferson Blvd to Snowberry Dr
Bittersweet Moors Court: Snowberry Dr. to Northern Terminus
Snowberry Dr.: Bittersweet Moors to Concrete Pavement at Bridge
Magnolia Dr.: Snowberry Dr. to Concrete Pavement
Sweetbrier Dr.: Bittersweet Moors to Indigo Dr.
Coralberry Ct.: Sweetbrier Dr. to Western Terminus
Weigela Court: Sweetbrier Dr. to Western Terminus
Weigela Court: Sweetbrier Dr. to Eastern Terminus
Honeysuckle Ct.: Sweetbrier Dr. to Western Terminus
Indigo Dr.: Sweetbrier Dr. to Western Terminus
Covington Road: Homestead Rd. to Scott Road

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 10th day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: RESURFACING PACKAGE " C " - 2006 RES. NO. 7091 - 06

DATE May 31, 2006 WORK ORDER 11948

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Surface Milling, Bituminous	24200	S.Y.	1.00	24200.00
2.	Removal of Pavement	550	sy	5.00	2750.00
3.	Type O Compacted Aggregate for Shoulder; # 73 stone	105	TON	2.00	210.00
4.	Bituminous Material for Tack Coat (including Tack for Shoulder Stone	17	TON	165.00	2805.00
5.	Bituminous Surface, No.12, H. A. C.	1522	TON	33.75	51367.50
6.	Bituminous Surface, No.11, H. A. C	765	TON	33.00	25245.00
7.	Bituminous Binder # 9 H. A. C.	1225	TON	29.75	36443.75
8.	Bituminous Mix for Patching	185	TON	35.00	6475.00
9.	Bituminous Mix for Approaches	30	TON	42.00	1260.00
10.	Concrete Curb Type I - B	100	LF	15.00	1500.00
11.	Casting Adjust To Grade	2	EA	165.00	330.00
12.	Thermoplastis Yellow 8 ", Solid Lane Line	880	LF	1.05	924.00
13.	Thermoplastis Yellow 12 ", Solid	245	LF	1.65	404.25
14.	Thermoplastis Yellow 4 ", Solid Lane Line	4230	LF	0.55	2326.50
15.	Thermoplastis Yellow 4 ", Broken Lane Line	190	LF	0.55	104.50
16.	Thermoplastis White 4 ", Solid Lane Line	980	LF	0.55	539.00
17.	Thermoplastis Stop Bar, 24 "	60	LF	4.00	240.00
18.	Thermoplastis White Right Arrow	2	EA	65.00	130.00
19.	Thermoplastis White , Left Arrow	4	EA	65.00	260.00
20.	Thermoplastis White , Word " ONLY "	4	EA	100.00	400.00
21.	Edge Line 4 inch White Paint	5900	LF	0.35	2065.00

ESTIMATE OF QUANTITIES

PROJECT: RESURFACING PACKAGE " C " - 2006 RES. NO. 7091 - 06

DATE May 31, 2006 WORK ORDER 11948

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
22	Temporary Pavement Marking, Type I 4" Yellow	300	LF	0.65	195.00
23	Temporary Pavement Marking, Type II 4" Yellow	300	LF	0.40	120.00
24	Temporary Pavement Marking, Paint 4" Yellow	300	LF	0.35	105.00
25	CONSTRUCTION SIGNS, TYPE " A "	20	EA	80.00	1600.00
26	MAINTAINING TRAFFIC	1	LS	8,099.98	8099.98
27	MOBILIZATION AND DEMOBILIZATION	1	LS	6479.98	6479.98

SUB-TOTAL: 176579.46
E&I @16% 28252.71

TOTAL: $ 204,832.17

IMPROVEMENT RESOLUTION NO. 7092-06

SUNSET DRIVE: STRATFORD TO CRESTWOOD
WORK ORDER NO. 11941

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: SIDEWALKS, CURBS, DRAINAGE, DRIVEWAYS, ASPHALT STREET, AND MULCH SEED RESTORATION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for SIDEWALKS, CURBS, DRIVEWAYS AND MULCH SEED RESTORATION shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for DRAINAGE AND ASPHALT STREET shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 10th day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: SUNSET Dr. **RES. NO.: 7091 - 06**

BID DATE: JULY 19 , 2006

ITEM O.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL of CURBS	2,185	LF	$4.00	$8,740.00
2.	REMOVAL of CONCRETE	1,030	SY	$5.00	$5,150.00
3.	REMOVAL of PAVEMENT	332	SY	$6.00	$1,992.00
4.	SURFACE MILLING (BITUMINOUS)	2,880	SY	$1.20	$3,456.00
5.	CONCRETE SIDEWALK 4"	1,030	SY	$25.00	$25,750.00
6.	RELAY BRICK WALK	4	SY	$50.00	$200.00
7.	CONCRETE , CURB, TYPE " II - B "	2,185	LF	$11.00	$24,035.00
8.	CONCRETE , CURB , TYPE III	35	LF	$12.00	$420.00
9.	CONCRETE PAVEMENT for RESIDENTIAL DRIVEWAY 6"	332	SY	$26.00	$8,632.00
10.	CONCRETE WINGWALKS & RAMPS	60	SY	$35.00	$2,100.00
11.	BITUMINOUS SURFACE # 12	160	TON	$61.00	$9,760.00
12.	BITUMINOUS BINDER , # 9 or # 8	320	TON	$49.00	$15,680.00
13.	BITUMINOUS BASE # 5 D	475	TON	$45.00	$21,375.00
14.	BITUMINOUS MATERIAL for TACK COAT	1	TON	$155.00	$155.00
15.	TOPSOIL	350	TON	$14.00	$4,900.00
16.	FERTILIZE TREES	33	EA	$35.00	$1,155.00
17	TREE REMOVAL 18"	1	EA	$450.00	$450.00
18	MULCHED SEEDING	2,024	SY	$1.10	$2,226.40
19	BACKFILL BEHIND CURBS	162	TON	$6.00	$972.00
20	WATER VALVES (CURB - BOX) ADJUST to GRADE	16	EA	$30.00	$480.00
21	WATER VALVES (CURB - BOX) FURNISHED and ADJUSTED to GRADE	2	EA	$135.00	$270.00
22	CASTING TYPE " C " FURNISHED and ADJUSTED to GRADE	2	EA	$350.00	$700.00
23	MANHOLE TYPE 1 - A (over existing 12" san sewer) 12 FEET DEEP +-	1	EA	$2,500.00	$2,500.00
24	CATCH BASIN TYPE 1 - C	0	EA	$30.00	$0.00
25	INLET TYPE IV - E	4	EA	$1,500.00	$6,000.00

ESTIMATE OF QUANTITIES

PROJECT: SUNSET Dr. RES. NO.: 7091 - 06

BID DATE: JULY 19 , 2006

ITEM O.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
26	PIPE 12" R C P CLASS III	621	LF	$25.00	$15,525.00
27	B - BORROW for STRUCTURE BACKFILL (53 or 73 STONE)	760	TON	$15.00	$11,400.00
28	TYPE " O " COMPACTED AGGREGATE for BASE, No. 53	175	TON	$15.00	$2,625.00
29	BED COURSE MATERIAL	227	TON	$10.00	$2,270.00
30	CONSTRUCTION SIGN , TYPE A	10	EA	$60.00	$600.00
31	MAINTENANCE of TRAFFIC	1	LS	$7,180.74	$7,180.74
32	MOBILILIZATION and DEMOBLIZATION	1	LS	$9,334.96	$9,334.96
33	REMOVAL of STRUCTURE (CATCH BASIN)	1	EA	$1,000.00	$1,000.00
34	REMOVAL of STRUCTURE (INLET)	1	EA	$500.00	$500.00
35	EXPLORATORY DIG	2	EA	$750.00	$1,500.00
36	RELOCATE WATER SERVICE	4	EA	$850.00	$3,400.00
37	MANHOLE TYPE I - E	1	EA	$2,100.00	$2,100.00
38	MANHOLE TYPE I - A	1	EA	$2,000.00	$2,000.00

SUB-TOTAL: $206,534.09

E&I @16% 33,045.45

TOTAL: **$239,579.54**

SOUTH MONROE STREET (RUDISILL TO BOLTZ) – WATER MAIN REPLACEMENT RESOLUTION NO. 1535-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,500 LF of 6-inch water main, 1,200 LF of 8-inch water main, 8 fire hydrants, 7 valves, 100 services, and all other appurtenances and work as necessary for the water main replacement project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "SOUTH MONROE STREET (RUDISILL TO BOLTZ) – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $405,000.00.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 10th DAY OF May, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

RIVERBEND BLUFFS LIFT STATION PHASE CONVERTER TO VFD REPLACEMENT
EMERGENCY RESOLUTION NO. 1864-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Whereas, the Water Pollution Control Plant operations require reliable electrical facilities, and

Whereas, the existing electrical equipment failed and required immediate replacement to avoid basement backups, and

Whereas, the scope of work is beyond the capabilities of Water Pollution Control Plant O&M staff, and

Therefore, the BOW authorizes City Purchasing to issue an emergency purchase order for this project.

Declares the cost of the said improvements shall be paid by the funds from Fort Wayne Sewer Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $10,000.

APPROVED THIS 10th DAY OF May, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

RESOLUTION ACCEPTING AN EXISTING SANITARY SEWER SYSTEM AS PART OF THE PUBLIC SYSTEM

Resolution: 93-5-10-06-3

WHEREAS, an existing sanitary sewer system is located within the Kroemer Road right-of-way in Northwest Fort Wayne as shown on the attached Exhibit A; and,

WHEREAS, said sanitary sewer system includes the following components: 570 LF of 8-inch PVC and 165 LF of 12-inch PVC and 3 standard manholes; and,

WHEREAS, the sanitary sewer system provides sewage conveyance for multiple properties; and,

WHEREAS, the sanitary sewer system was not installed as part of a standard system expansion project; and,

WHEREAS, As-Built drawings of the sanitary sewer system have been submitted and the system was inspected, located and televised by City Utilities and found to meet the City's sanitary sewer standards; and,

WHEREAS, additional properties are seeking connection to the sanitary sewer system.

NOW, THEREFORE, the Board of Public Works hereby accepts said sanitary sewer as an integral part of the City Utilities public sanitary sewer system and as such City Utilities, will own, operate and provide perpetual maintenance to the described sanitary sewer system.

Adopted, this 10 day of May, 2006.

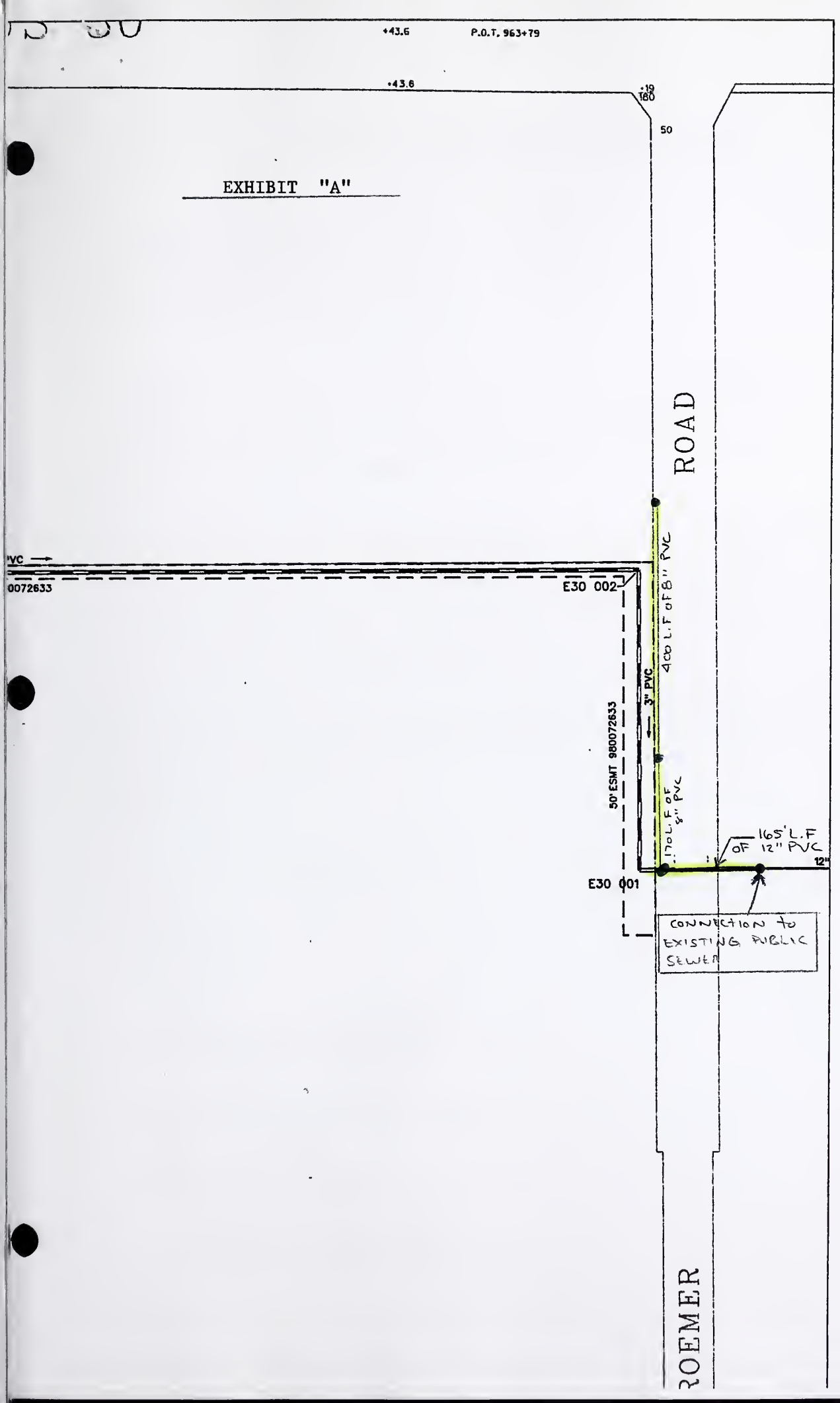
BOARD OF PUBLIC WORKS

Regina A. Kostoff
Chair

John Suarez
Member

Ryan P. Chasey
Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk



PRODUCED BY
CITY OF FORT WAYNE
G.I.S. DEPARTMENT

LEGEND

- SAN/COMBO/RELIEF MANHOLE
- STORM MANHOLE
- ABANDONED MANHOLE
- CATCH BASIN
- STORM INLET
- CLEANOUT
- HEADWALL
- HEADWALL W/FLAP GATE
- BULKHEAD
- PS PUMP STATION
- R REGULATOR
- AIR RELEASE VALVE
- SANITARY PIPE / STORM PIPE
- COMBINED PIPE
- FORCE MAIN
- PRIVATE MAIN
- RELIEF PIPE
- ABANDONED MAIN
- R22 185 STRUCTURE ID
- *123456* PROJECT ID
- FLOW DIRECTION

NOTICE: THE INFORMATION DISPLAYED ON THIS MAP CONCERNING LOCATION, TYPE, SIZE AND MATERIAL OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. INFORMATION SHOWN WAS OBTAINED FROM AVAILABLE RECORDS. FIELD INVESTIGATION SHOULD BE CONDUCTED TO DETERMINE ACCURACY.

CITY OF FORT WAYNE
SEWER UTILITY
CITY COUNTY BUILDING
ONE MAIN STREET
FORT WAYNE, IN 46802

:C. 19
RANGE 12 E
EN COUNTY
1" = 200'

APPEAL TO THE BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair
John Suarez, Member
Ryan Chasey, Member

Please accept this letter of appeal regarding the assessment on 3508 Inwood Drive under Resolution # 7047-2005 which was due on March 17, 2006.

I neglected to returned the signed waiver on time because:

Either it was misplaced or it was lost in the mail. I do remember signing the waiver and getting it notorized. My wife and I discussed the payment that would be best, so I know I filled out the waiver.

Thank You

I would like your permission to be allowed to sign the waiver to pay the assessment over 10 years at 5 % interest.

Sincerely,

Signature

Patrick Ryan
Printed Name

Signature

Tina Ryan
Printed Name

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

May 10th, 2006
Date

Approved by State Board of Accounts for City of Fort Wayne, 2003

City of Fort Wayne

BARRETT LAW

NUMBER ONE EAST MAIN STREET, ROOM 420
FORT WAYNE, IN 46802

BL-0002908

NOTICE OF ASSESSMENT

Account No. 30176R009

Approved Date: 2/15/2006
Barrett Number: 30176R
Resolution Number: 7047-05
Property Key: 02-08-29-378-005.000-072

RYAN PATRICK E & TINA M

3508 INWOOD DR
FORT WAYNE IN 46815

3508 INWOOD DR
GLENWOOD PARK SEC 11 LOT 324

Your assessment is now due and must be paid by cash, check, money order, or bonded. Assessments under $100.00 cannot be bonded.

DUE ON OR BEFORE 3/17/2006

*Delinquent fees will be added after the due date.

PROJECT TYPE	# OF UNITS	UNIT COST	ASSESSED AMOUNT	MISC. CHARGES	ADJUSTMENT	TOTAL
> - DELINQUE	1.00	$30.37000000	$30.37	$0.00	$0.00	$30.37
H - DRIVE AP	23.00	$21.32000000	$490.36	$0.00	($23.41)	$466.95
C - CURB	85.00	$8.80000000	$748.00	$0.00	$0.00	$748.00

Please Pay This Amount **$1,245.32**

This is a VALID RECEIPT WHEN STAMPED PAID BY COLLECTING OFFICER. Please see that descriptions are correct. When paying by mail, this statement must be returned with a self-addressed, stamped envelope if a receipt is desired.

PHONE: 427-1105 **Make Check Payable To: CITY OF FORT WAYNE BARRETT LAW**

Waiver and Demand of Property Owners

The undersigned against whose real estate an assessment was made on the above approved date according to Barrett No. 30176R, per description given in consideration for having the right to pay said assessments in installments, hereby agree each for himself that he will not make any objections to said assessments for illegality or irregularity, and that he will pay the same at 5.00% interest thereon.

Any property owner who has signed a waiver to pay his/her assessment in deferred installments may, at any time, pay up his/her entire assessment, on the condition that he/she at the same time, pay all interest due on a minimum of the first 1/5 of the installments and the balance of principal due.

If any account is six months or more delinquent, the total assessment (all installments of principal and interest) are considered to be in default and the entire account will be certified to the Allen County Auditor for tax sale before June 1st. of the calendar year following delinquency.

PLEASE SELECT ONE OF THE FOLLOWING OPTIONS

ONE PAYMENT PER YEAR FOR 10 YEARS X

ONE PAYMENT PER MONTH FOR 10 YEARS _____

If you wish to bond this assessment and return waiver by mail, you must sign this "waiver" section by the above due date. Signatures of all recorded property owners are required and must be notarized if mailed. If the waiver is signed by at least one owner and witnessed in the Barrett Law Office, notarization is not required; however, all owner's signatures must be on the waiver.

Signature: _____

Signature: Tina Ryan

Installment notices to be mailed to: _____

Subscribed and sworn before me this 4th day of May 20 06

PRINTED NAME OF NOTARY

NOTARY'S SIGNATURE

My Commission Expires _____

COUNTY OF RESIDENCE

54

APPEAL TO THE BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

Please accept this letter of appeal regarding the assessment on 617 Stratton Road under Resolution # 7055-2005 which was due on February 17, 2006.

I neglected to returned the signed waiver on time because:

I signed the (1) waiver and thought that covered the total assessment for both houses. I am from Taiwan and I sometimes have difficulty with understanding all the paperwork involved with transactions

I would like your permission to be allowed to sign the waiver to pay the assessment over 10 years at 5 % interest.

Sincerely,

Signature

CHI-HSIANG SHIH

Printed Name

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

May 10th 2006

Date

Payment Slip

BL-0002853

CITY of FORT WAYNE BARRETT LAW
420 City-County Building
Fort Wayne, Indiana 46802
(260) 427-1105

Account No. 30211R-006

Barrett No.	30211R	Principal:	$3,532.66
Prop Key	02-07-24-101-016.000-073	Current Interest:	$0.00
Resolution #	7055-05	Future Interest:	$0.00
Bond Series		Delinquency:	$58.88
Pay #	ASSESSMENT	Amt Paid:	$0.00

TOTAL PAYMENT DUE: **$3,591.54**

SHIH CHI HSIUNG & SIELY & YAN CHIN

617 STRATTON RD
FORT WAYNE, IN46825

Date Due: **4/16/2006**

Payment Date: _____

Payment Amount: _____

Signature: _____

Approved by State Board of Accounts for City of Fort Wayne, 2003

please detach at this line and return top portion with payment

2

BL-0002853

MAKE CHECKS OR MONEY ORDERS PAYABLE TO:

CITY OF FORT WAYNE BARRETT LAW
420 City-County Building
Fort Wayne, Indiana 46802
(260) 427-1105

Property Key **020724101016000**

Prop Address **617 STRATTON RD**

Legal Description **WASHINGTON CENTER PLACE LOT 32**

INSTRUCTIONS FOR BARRETT LAW PAYMENTS

If you are paying by **mail** address the envelope to:

CITY OF FORT WAYNE BARRETT LAW
420 City-County Building
Fort Wayne, Indiana 46802
(260) 427-1105

If you are paying in **person:**

Take a copy of your statement to Room 420, on the 4th floor, City-County Building during the hours of 7:00 A.M. and 4:00 P.M.

Account No. 30211R-006

Barrett No 30211R Pay No ASSESSMENT

Resolution No 7055-05 Bond Series

Principal:	$3,532.66
Current Interest:	$0.00
Future Interest:	$0.00
Delinquency:	$58.88
Amt Paid:	$0.00
TOTAL PAYMENT DUE	$3,591.54

NOTICE: Examine bills carefully before paying them; see that descriptions are correct. All payments will be applied as follows: any delinquency, interest, then principal.

1. Any payment received after the legal date will be charged with a delinquent amount that will be 10% APR of the amount of the payment that was due "on or before the legal date". Such delinquency shall before the first day of June be certified to the County Auditor and the property shall be subject to sale as for taxes following such Certification.
2. Please mail in office copy.
3. Please notify us of any change in name or address.
4. If you have any questions, please call us at the above telephone number. *Thank you.*

ACCEPTED ONLY THROUGH LEGAL DATE 04/16/2006

SHIH CHI HSIUNG & SIELY & YAN CHIN

617 STRATTON RD
FORT WAYNE, IN46825

Sent 3/21/06

56

RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF
FORT WAYNE, INDIANA

RESOLUTION NO. 93-5-17-06-3

WHEREAS, the City of Fort Wayne needs to lease financial system software/hardware for use by several departments of the City of Fort Wayne for continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated such leasing and has let bids therefore; and

WHEREAS, numerous bids have been let for the acquisition of the financial system software/hardware and the Common Council is expected to approve the acquisition of said financial system software/hardware; and

WHEREAS, sufficient revenues are available from the City's General Fund to make lease rental payments on a timely basis as required for the leasing of said financial system software/hardware; and

WHEREAS, notices will be published requesting proposals from lessors to acquire the financial system software/hardware to lease the same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the execution of said lease will permit the use and acquisition of said financial system software/hardware within the present financial capabilities of the City and therefore same is in the public interest; and

WHEREAS, the Common Council designates the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana, for the transactions herein contemplated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works will receive bids from potential lessors for the lease of the financial system software/hardware on **MAY 31, 2006.**

SECTION 2. The Board of Public Works, after reviewing all of the bids submitted to it pursuant to the Notice to Bidders and the Request for Proposal, will designate the lessor of the financial system software/hardware listed on the bids received from potential lessors for the lease of the financial system software/hardware listed on the attached Exhibit "A" on **JUNE 7, 2006**. The exact lessor purchase cost for the financial system software/hardware contained on the attached Exhibit "A" shall be determined in accordance with bidding procedures of the City of Fort Wayne, if not so previously determined.

DATED: May 17, 2006

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

NOTICE TO BID
FINANCIAL SYSTEM SOFTWARE/HARDWARE LEASE FINANCING
05/03/06

Exhibit A

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids **and proposals** (as described below) will be received by the **Board of Public Works at its office in Room 420, City-County Building until 8:30 a.m. on WEDNESDAY 5/31/06**:

Financial System Software/Hardware Lease Financing
5-year Lease
with option to purchase
for financial system software/hardware
for use by the City of Fort Wayne

The bid should be prepared for a "Non-qualified" entity under the Small Issuer Exemption tax code provisions. No bid may be withdrawn without the written consent of the Board of Public Works for a period of five (5) days after the bid opening, within which time the Board will act to choose the successful bidder. All bids shall be accompanied by a bid bond or certified check (out of state bidders must use a certified check or an Indiana surety), in the amount of FIVE percent (5%) of the bid, which check or bid shall be made payable to the City of Fort Wayne, Indiana. Should a successful bidder withdraw his or her bid, the Board may declare the bid deposit as having been forfeited and collect said amount as liquidated damages.

Each bidder must include, in a clear and concise format, the following items in their bid:

1) The cash purchase price without regard to the lease agreement for the financial system software/hardware.
2) The total lease rental price based on a 5-year lease period with funds to be available on or before June 12, 2006 and lease payments commencing no sooner than August 15, 2006. Bids should be submitted with semi-annual payment schedules.
3) The total amount of interest and the lease-financing factor ("interest rate") used to determine the amount of the payments must be clearly indicated.
4) Payment amortization schedules based on the above information must be submitted with the bids.
5) A provision in the lease providing for an option to purchase the financial system software/hardware.
6) A schedule of the option purchase price and at each time when an option may be executed.
7) A schedule of the amount of the lease rental payment which shall be credited to the lease purchase option.
8) A provision in the lease stating that it is subject to annual appropriation.

ITEM	APPROX QUANTITY	NOT TO EXCEED TOTAL COST
Financial System Software/Hardware Includes training		$ 810,000
TOTAL		**$ 810,000**

All necessary approvals of the City's Common Council for the acquisition of the above-listed items are forthcoming.

The date for the anticipated cash requirements for this leasing arrangement is on or before **June 12, 2006.**

The Board of Public Works reserves the right to reject any and all bids for failure to comply with applicable laws and or with the instructions to Bidders. The Board of Public Works also reserves the right to waive any defect in any bid.

Board of Public Works

Regina A. Kostoff, Chair
John Suarez, Member
Ryan P. Chasey, Member

ATTEST: Marilyn Huth, Clerk

Publish 5/12 & 5/19/06 in both Fort Wayne Newspapers and 5/15/06 in Frost Illustrated

RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF
FORT WAYNE, INDIANA

RESOLUTION NO. 93-5-17-06-4

WHEREAS, the City of Fort Wayne needs to lease various vehicles and equipment for use by the City of Fort Wayne Street Department for continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated such leasing and has let bids therefore; and

WHEREAS, numerous bids have been let for the acquisition of various vehicles and equipment and the Common Council is expected to approve the acquisition of said various vehicles and capital equipment; and

WHEREAS, sufficient revenues are available from the City's Motor Vehicle Highway Fund to make lease rental payments on a timely basis as required for the leasing of said various vehicles and equipment; and

WHEREAS, notices will be published requesting proposals from lessors to acquire the various vehicles and equipment and to lease the same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the execution of said lease will permit the use and acquisition of said various vehicles and equipment within the present financial capabilities of the City and therefore same is in the public interest; and

WHEREAS, the Common Council designates the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana, for the transactions herein contemplated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works will receive bids from potential lessors for the lease of certain various vehicles and equipment on

MAY 31, 2006.

SECTION 2. The Board of Public Works, after reviewing all of the bids submitted to it pursuant to the Notice to Bidders and the Request for Proposal, will designate the lessor of those various vehicles and equipment listed on the bids received from potential lessors for the lease of certain various vehicles and equipment listed on the attached Exhibit "A" on **JUNE 7, 2006**. The exact lessor purchase cost for the various vehicles and equipment contained on the attached Exhibit "A" shall be determined in accordance with bidding procedures of the City of Fort Wayne, if not so previously determined.

DATED: May 17, 2006

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

NOTICE TO BID
STREET VEHICLE & EQUIPMENT LEASE FINANCING
05/03/06

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids **and proposals** (as described below) will be received by the **Board of Public Works at its office in Room 420, City-County Building until 8:30 a.m. on WEDNESDAY 5/31/06**:

Street Vehicle & Equipment Lease Financing
5-year Lease
with option to purchase
for vehicles and equipment
for use by the City of Fort Wayne Street Department

The bid should be prepared for a "Non-qualified" entity under the Small Issuer Exemption tax code provisions. No bid may be withdrawn without the written consent of the Board of Public Works for a period of five (5) days after the bid opening, within which time the Board will act to choose the successful bidder. All bids shall be accompanied by a bid bond or certified check (out of state bidders must use a certified check or an Indiana surety), in the amount of FIVE percent (5%) of the bid, which check or bid shall be made payable to the City of Fort Wayne, Indiana. Should a successful bidder withdraw his or her bid, the Board may declare the bid deposit as having been forfeited and collect said amount as liquidated damages.

Each bidder must include, in a clear and concise format, the following items in their bid:

1) The cash purchase price without regard to the lease agreement for the Street vehicles and equipment.
2) The total lease rental price based on a 5-year lease period with funds to be available on or before June 12, 2006 and lease payments commencing no sooner than August 15, 2006. Bids should be submitted with semi-annual payment schedules.
3) The total amount of interest and the lease-financing factor ("interest rate") used to determine the amount of the payments must be clearly indicated.
4) Payment amortization schedules based on the above information must be submitted with the bids.
5) A provision in the lease providing for an option to purchase the Street vehicles and equipment.
6) A schedule of the option purchase price and at each time when an option may be executed.
7) A schedule of the amount of the lease rental payment which shall be credited to the lease purchase option.
8) A provision in the lease stating that it is subject to annual appropriation.

ITEM	APPROX QUANTITY	NOT TO EXCEED TOTAL COST
Two-Ton Trucks	2	$ 160,000
Single Axle Trucks	2	250,000
Tandem Axle Truck	1	160,000
Backhoe	1	100,000
Front End Loader	1	100,000
Contingency		55,000
TOTAL		**$ 825,000**

All necessary approvals of the City's Common Council for the acquisition of the above-listed items are forthcoming.

The date for the anticipated cash requirements for this leasing arrangement is on or before **June 12, 2006.**

The Board of Public Works reserves the right to reject any and all bids for failure to comply with applicable laws and or with the instructions to Bidders. The Board of Public Works also reserves the right to waive any defect in any bid.

Board of Public Works

Regina A. Kostoff, Chair
John Suarez, Member
Ryan P. Chasey, Member

ATTEST: Marilyn Huth, Clerk

Publish 5/12 & 5/19/06 in both Fort Wayne Newspapers and 5/15/06 in Frost Illustrated

IMPROVEMENT RESOLUTION NO. 7094-06

RESURFACING PACKAGE A-2006
WORK ORDER NO. 11914

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: By Resurfacing Approximately 5.7 Miles on Various streets in the 1st ,2nd, and 3rd Districts to include asphalt milling, base patching, placement of binder & surface asphalt, pavement markings and traffic loops

1ST DISTRICT 2006
CASA GRANDE DR: TRIER TO TERMINUS
CASA GRANDE CT.: EAST CASA GRANDE DR TO TERMINUS
COUNTRY PARK LN: COUNTRY PARK TO GREENBANK
DIAL: STANTON TO THORTON
EDGEWATER: CRESCENT TO DELTA
GREENBANK: COUNTRY PARK TO TERMINUS
KERRWAY: LAKE TO TERMINUS
NOVA: OAKHURST TO TERMINUS
OAKHURST: MONTAVILLA TO STELLHORN
OKLAHOMA TR: GREENBANK TO GOEGLEIN
PLEASURE CT: OKLAHOMA TR TO TERMINUS
MERIDITH DR: DIAL TO STELLHORN
HAMPSTEAD: THORTON TO STANTON
WHEELOCK RD: TREASURE CV TO ENTRANCE

2nd DISTRICT 2006
DODGE: BEACON TO SANTA ROSA
GLENWOOD: CAREW TO BEACON
KENWOOD: CAREW TO BEACON
LYNN: CAREW TO ROLSTON
SANTA ROSA: LYNN TO CLARA
FOREST GROVE: GROVELAND TO RANGER
LAUREL: MANISTEE/250'
RANGER: FOREST GROVE TO PLESANT
PHEASANT: RANGER TR TO GROVELAND
WRANGLER: MIRANDO TO TERMINUS
BOSWORTH: STAFFORD TO HAYSTINGS
MIRANDO TR: WRANGLER TO DEL RIO

3RD DISTRICT 2006
STONY RUN: CAMDEN DRIVE TO ARCHWOOD
WELLS: GREENLAWN TO JACOBS
JACOBS: WELLS TO CLINTON
ARCHWOOD: NORTHCREST TO STONY RUN
ESSEX: COLDWATER TO CAMDEN
ALDERWOOD LN: OAKTREE TO TERMINUS
GOSHEN: SHERMAN TO ST MARYS

DUPONT: LIMA TO OAK TRAIL RD
SPY RUN AVE. EXT.: CLINTON TO PARNELL

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 17th day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

REVISED 6-5-06

PROJECT: RESURFACING PKG A-2006

DATE: 5/11/2006

BID DATE:

RES. NO.: 7094-06

W.O. NO.: 11914

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	SURFACE MILLING, BITUMINOUS	88,335	SY	$1.00	88335.00
2	BITUMINOUS MATERIAL FOR TACK COAT	22	TON	$200.00	4400.00
3	BITUMINOUS MATERIAL FOR CRACK SEAL	10	TON	$575.00	5750.00
4	BITUMINOUS BINDER NO 11, H.M.A.	4,881	TON	$36.00	175716.00
5	BITUMINOUS BINDER NO 9, H.M.A.	3,298	TON	$34.00	112132.00
6	BITUMINOUS SURFACE NO 12, H.M.A.	3,387	TON	$42.00	142254.00
7	BITUMINOUS SURFACE NO 11, H.M.A.	1,560	TON	$40.00	62400.00
8	BITUMINOUS MIXTURE FOR PATCHING	555	TON	$42.00	23310.00
9	BITUMINOUS MIXTURE FOR APPROACHES	463	TON	$60.00	27780.00
10	WATER VALVE (ADJUST TO GRADE)	10	EA	$25.00	250.00
11	WATER VALVE (FURNISH AND ADJUST TO GRADE) (UNDISTRIBUTED QUANTITY)	5	EA	$87.00	435.00
12	CASTINGS (ADJUST TO GRADE)	51	EA	$125.00	6375.00
13	CASTINGS (FURNISH AND ADJUST TO GRADE)	10	EA	$280.00	2800.00
14	TEMPORARY PAVEMENT MARKING, TYPE I, YELLOW, 4 "	780	LF	$0.42	327.60
15	TEMPORARY PAVEMENT MARKING, TYPE I, WHITE, 4 "	780	LF	$0.42	327.60
16	PAVEMENT MARKING, SOLID WHITE, PAINT, 4"	3,316	LF	$0.62	2055.92
17	PAVEMENT MARKING, SOLID YELLOW, THERMOPLASTIC, 4"	9,960	LF	$0.80	7968.00
18	PAVEMENT MARKING, SKIP YELLOW, THERMOPLASTIC, 4"	860	LF	$0.80	688.00
19	PAVEMENT MARKING, "WORD", THERMOPLASTIC	5	EA	$70.00	350.00
20	PAVEMENT MARKING, "ARROW", THERMOPLASTIC	5	EA	$70.00	350.00
21	Transverse Markings, Thermoplastic, Stop Line, 24"	157	LF	$6.00	942.00
22	Transverse Markings, Thermoplastic, 6" (Cross walk)	320	LF	$3.00	960.00
23	SIGNAL DETECTOR HOUSING (SET IN PLACE)	3	EA	$550.00	1650.00
24	SAW CUT FOR ROADWAY LOOP AND SEALER	470	LF	$10.00	4700.00
25	SIGNAL CABLE, ROADWAY LOOP, 2C / 16 GA. SHIELDED	400	LF	$1.25	500.00
26	SIGNAL CABLE, ROADWAY LOOP, 1C / 14 GA.	1,860	LF	$0.40	744.00
27	2 " STEEL CONDUIT	50	LF	$13.00	650.00
28	DETECTOR HOUSING RISER	1	EA	$500.00	500.00
29	MAINTENANCE OF TRAFFIC	1	LS	$40,000.00	40000.00
30	MOBILIZATION AND DEMOBILIZATION	1	LS	$28,600.00	28600.00

SUB-TOTAL:	$ 743,250.12
E&I @7%	$ 52,027.51
TOTAL:	$ 795,277.63

Revised: 05-11-06

IMPROVEMENT RESOLUTION NO. 7093-06

MISCELLANEOUS CONSTRUCTION PACKAGE 6A - 2006
WORK ORDER NO. 11933

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Pontiac Street (south-side only) fronting 1220–1230 block; reconstruction of: curb-face sidewalk, affected portion of alley, and drive. The 4100 block of Oliver Street (west-side only) reconstruction of curb which includes affected yard walk(s), alley and drive approaches. The 4100 block of Abbott Street (west side only) construction / reconstruction of sidewalk, curb-ramp(s) and affected drive approaches, fertilize trees, top soil and mulched seeding.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 17th day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: MISC. CONSTRUCTION PKG. 6A - 2006

RES. NO.: 7093-06

DATE: 5/16/2006

W.O. NO.: 11933

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	2000.00	2000.00
2.	Removal of Concrete	494	SY	6.00	2964.00
3.	Removal of Curb	225	LF	5.00	1125.00
4.	Backfill Behind Curb (Borrow)	45	TN	5.00	225.00
5.	Bed Course Material	85	TN	10.00	850.00
6.	Asphalt / Concrete Pavement Patching	60	SY	25.00	1500.00
7.	Concrete Sidewalk (4")	255	SY	26.00	6630.00
8.	Concrete Curbface Sidewalk	216	SY	32.50	7020.00
9.	Concrete Wingwalk & Ramps (6")	18	SY	34.00	612.00
10.	Concrete Steps, Undistributed	1	CY	500.00	500.00
11.	Concrete Curb Type III	225	LF	20.00	4500.00
12.	Concrete Curb, Standard "Undistributed"	10	LF	25.00	250.00
13.	Casting, Curb-Box, Adjusted To Grade	1	EA	75.00	75.00
14.	Concrete Pavement for Commercial Drive (8")	110	SY	38.50	4235.00
15.	Concrete Pavement for Residential Drive (6")	50	SY	32.00	1600.00
16.	Concrete Pavement for Alley (7")	32	SY	36.00	1152.00
17.	Water Valves (Valve-Box) Adjusted to Grade	1	EA	45.00	45.00
18.	Water Valves (Curb-Box) Adjusted to Grade	8	EA	25.00	200.00
19.	Water Valves (Curb-Box) Furnish & Adjust to Grade (If Broken / Deteriorated)	2	EA	50.00	100.00
20.	"V-Loc" Sign Support	1	EA	50.00	50.00
21.	Top Soil	62	TN	15.00	930.00
22.	Tree, Fertilize	2	EA	80.00	160.00
23.	Mulched Seeding	500	SY	2.00	1000.00
24.	Maintenance of Traffic	1	LS	1500.00	1500.00

SUB-TOTAL:	39223.00
E&I @16%	6275.68
TOTAL:	**$45,498.68**

Revised. 02-13-04

37

ST. JOE DAM IMPROVEMENTS – PHASE B
RESOLUTION NO. 1748-2005

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The sheet piling wall on the western downstream side of the St. Joe Dam shall be held in place to prevent further deformation through the use of helical soil anchors.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **St. Joe Dam Improvements - Phase B**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $172,500.

APPROVED THIS 17th DAY OF May, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff , Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

MISCELLANEOUS RESOLUTION NO. 93-5-17-06-1
RESOLUTION: ACCEPTANCE OF PRELIMINARY ENGINEERING REPORT FOR WATER SRF PROJECTS

WHEREAS, the Board of Public Works of the City of Fort Wayne, Allen County, Indiana, has caused a Preliminary Engineering Report, PER, dated April 2006, to be prepared by the City; and

WHEREAS, said plan has been presented to the public at a public hearing held on May 10, 2006 at the City/County Building, for their comments; and

WHEREAS, the Board of Public Works finds that there was not sufficient evidence presented in objection to the recommended project in the Preliminary Engineering Report.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Preliminary Engineering Report dated April 2006 be approved and adopted by the Board of Public Works; and

2. Said PER be submitted to the Indiana Department of Environmental Management for review and approval

Passed and adopted by the City of Fort Wayne's Board of Public Works this 17th day of May, 2006, at its regularly scheduled meeting.

FORT WAYNE BOARD OF PUBLIC WORKS
BY AND THROUGH ITS BAORD MEMBERS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan P. Chasey, Member

ATTEST: _____
Marilyn Huth, Clerk

MISCELLANEOUS RESOLUTION NO. 93-5-17-06-2
RESOLUTION: SIGNATORY AUTHORIZATION RESOLUTION FOR WATER SRF PROJECTS

WHEREAS, the City of Fort Wayne Board of Public Works, herein called the Applicant, has plans for a drinking water infrastructure improvement project to meet State and Federal regulations, such as the Safe Drinking Water Act, and the community intends to proceed with the construction of such works:

WHEREAS, the Board of Public Works has adopted this Resolution dated May 10, 2006.

NOW, THEREFORE, BE IT RESOLVED by the City of Fort Wayne Board of Public Works, the governing body of said community, that:

1. Greg Meszaros, Director of Public Works and Utilities and Len Poehler, City Utilities Associate Director – Finance for the City of Fort Wayne be authorized to make application for an SRF Loan and provide the State Revolving Loan Fund Program such information, data and documents pertaining to the loan process as may be required, and otherwise act as the authorized representative of the community.

2. The Applicant agrees to comply with the Department of Environmental Management, State of Indiana and Federal requirements as they pertain to the SRF.

3. That two certified copies of the resolution be prepared and submitted as part of the Applicant's Preliminary Engineering Report.

PASSED AND ADOPTED by the City of Fort Wayne's Board of Public Works this 17th day of May, 2006.

FORT WAYNE BOARD OF PUBLIC WORKS
BY AND THROUGH ITS BAORD MEMBERS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan P. Chasey, Member

ATTEST: _____
Marilyn Huth, Clerk

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: May 9, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 1,121,434.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742, and the Dechlorination Project – W.O. 75003.

Draw #33	Barton Mallow	$ 944,719.00
Draw #34	National City Bank	104,969.00
Draw #35 & #37	CH2M Hill	64,292.00
Draw #36 & #38	Donohue & Assoc.	7,454.00
Total SRF Payments		**$ 1,121,434.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

May 17, 2006
Date

41

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: May 17, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $5,116.29 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

DELL Marketing	PR #4	5,116.29
	Total for Payment Request	**$ 5,116.29**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

May 17th, 2006
Date

IMPROVEMENT RESOLUTION NO. 7087-06

SOUTH WAYNE AVENUE PHASE I
WORK ORDER NO. 11938

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: SOUTH WAYNE AVENUE FROM WILDWOOD AVENUE TO BEECHWOOD DRIVE BY RECONSTRUCTING EXISTING CONCRETE PAVEMENT WITH NEW 7" CEMENT CONCRETE PAVEMENT AND INSTALLING NEW STORM SEWERS FROM HOME AVENUE TO BEECHWOOD DRIVE.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 24th day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: South Wayne Avenue Pavement Reconstruction Phase I
Beechwood Dr. to Wildwood Ave.

RES. NO.: 7087-06

DATE: 5/11/2006

W.O. NO.: 11938

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Concrete Pavement, Remove	4600	SY	5.00	23000.00
2.	Removal of Concrete	160	SY	5.00	800.00
3.	Cement Concrete Pavement, Plain (7")	4600	SY	25.00	115000.00
4.	Concrete Sidewalk (4")	50	SY	26.00	1300.00
5.	Concrete Wingwalk & Ramps (6") (Undistributed Quantity)	40	SY	45.00	1800.00
6.	Concrete Curbface Sidewalk (4") (Undistributed Quantity)	50	SY	26.00	1300.00
7.	Concrete Curb Type II-A	1850	LF	8.00	14800.00
8.	Concrete Pavement for Commercial Drive (8") (Undistributed Quantity)	20	SY	32.00	640.00
9.	Water Valves (Valve-Box) Adjusted to Grade	6	EA	50.00	300.00
10.	Casting Type "A" Furnish & Adjust to Grade	4	EA	500.00	2000.00
11.	Casting Type "C" Furnish & Adjust to Grade	7	EA	500.00	3500.00
12.	Castings Adjusted to Grade	5	EA	100.00	500.00
13.	Type "O" Compacted Aggregate for Base, No.8	1000	TN	15.00	15000.00
14.	Bed Course Material (For under Concrete Items)	20	TN	10.00	200.00
15.	Backfill Behind Curb (Borrow)	185	TN	10.00	1850.00
16.	Top Soil	70	TN	12.00	840.00
17.	Mulched Seeding,	400	SY	2.00	800.00
18.	Tree Removal: (over 36" to 60") 48" size	1	EA	750.00	750.00
19.	Removal of Stump	1	EA	100.00	100.00
20.	Construction Signs, Type A With Construction Warning Light Type A	7	EA	80.00	560.00
21.	Standard Barricade, Type III - B Type C Const. Warning Light	8	EA	100.00	800.00
22.	Standard Barricade, Type III	10	EA	60.00	600.00
23.	Maintenance of Traffic	1	LS	10000.00	10000.00
24.	Mobilization / Demobilization	1	LS	5000.00	5000.00
25.	18" dia SDR-35 PVC Including Type F Bedding and Granular Backfill	235	LF	35.00	8225.00
26.	12" dia SDR-35 PVC Including Type F Bedding and Granular Backfill	65	LF	30.00	1950.00
27.	Remove and Replace Manhole Type I-B	1	EA	2000.00	2000.00
28.	Manhole Type I-B	1	EA	1612.60	1612.60
29.	Remove and Replace Inlet Type IV-E	2	EA	1500.00	3000.00
30.	Inlet Type IV-E	2	EA	1066.72	2133.44
31.	Remove/Dispose Existing Pipes and Structures	1	LS	2990.84	2990.84
25.	Bulkhead/ Plug 12-inch diameter	2	EA	74.00	148.00

SUB-TOTAL:	223499.88
E&I @16%	35759.98
TOTAL:	$259,259.86

IMPROVEMENT RESOLUTION NO. 7095-06

MISCELLANEOUS CONSTRUCTION PACKAGE 4 - 2006
WORK ORDER NO. 11926

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: South East Waynedale Addition – spot sidewalk reconstruction and affected drive approaches on Baylor Drive, Bryant Court, Clemson Drive, Colgate Drive, and Drake Drive; Foster Park Neighborhood – curb reconstruction of mid-block island on Sherdian Court; Bloomingdale Neighborhood – curb, sidewalk, and curb ramp reconstruction of the 800 Block of Putnam Street which includes: trees fertilized, top soil, mulched seeding restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 24th day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: MISC. CONST. PKG 4-2006

RES. NO.: 7095-06

DATE: 5/17/2006

W.O. NO.: 11926

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	5000.00	5000.00
2.	Removal of Curb	587	LF	6.00	3522.00
3.	Removal of Concrete	1359	SY	7.00	9513.00
4.	Backfill Behind Curb (Borrow)	35	TN	12.00	420.00
5.	Bed Course Material	150	TN	15.00	2250.00
6.	Asphalt / Concrete Pavement Patching	65	SY	30.00	1950.00
7.	Concrete Sidewalk (4")	1137	SY	27.50	31267.50
8.	Concrete Wingwalk & Ramps (6")	68	SY	40.00	2720.00
9.	Concrete Pavement for Residential Drive (6")	167	SY	32.50	5427.50
10.	Concrete Curb Type II-B	302	LF	18.50	5587.00
11.	Concrete Curb Type III	285	LF	20.00	5700.00
12.	Casting, Type "A" Furnished & Adjusted to Grade	1	EA	400.00	400.00
13.	Tree, Fertlize	66	EA	75.00	4950.00
14.	Top Soil	115	TN	15.00	1725.00
15.	Mulched Seeding,	895	SY	2.25	2013.75
16.	Construction Sign, A	8	EA	100.00	800.00
17.	Maintenance of Traffic	1	LS	3500.00	3500.00

SUB-TOTAL:	86745.75
E&I @16%	13879.32
TOTAL:	$100,625.07

A RESOLUTION declaring the intent to sell real estate owned by the City of Fort Wayne.

#93-5-24-06-1

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of property located at 1500 Block of Viola Ave., Fort Wayne, Indiana and more particularly described as:

LOT 32 N FRL PT LOT 33 DEER PARK ADD

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare intent to sell the above-named property, following all applicable state statutes.

Signed this 24th day of May, 2006.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Subscribed and sworn before me, the undersigned, a Notary Public, in and for said County and State, this 24th day of May, 2006.

Michelle R. Hadley
Notary Public

My Commission Expires MICHELLE RENEE HADLEY Notary Public, State of Indiana County of Allen My Commission Expires 11/26/2006.

I am a Resident of County of Allen County, Indiana.

****** REAL PROPERTY MASTER FILE CHANGE 2005 PAY 2006 ******

KEY NUMBER: 02-12-03-101-013.500-274 / 92-2462-5033

PROP ADD HOUSE #: 01500 DIR:
STREET : VIOLA AV (BLK OF)
ZIP CODE: 46808

OWNER NAME/ADDRESS
FORT WAYNE CITY OF
BOARD OF PUBLIC WORKS
1 E MAIN ST
FORT WAYNE, IN 46802 1804

DEED: REF#: TRNDAT: 00000000
ACTIVITY DATES: 10082004 06152004
R LAND: 000000000 HOMESTEAD YR = 0000
NR LAND: 000000000 HOME FLAG: N - 00000
TL LAND: 000000000 ACRES: 0.00
R IMPV: 000000000 USE CODE: 640
NR IMPV: 000000000
TL IMPV: 000000000

LEGAL DESCRIPTION
LOT 32 N FRL PT LOT 33
DEER PARK ADD

DRAIN INFORMATION

	NUMBER	ACRES	AMOUNT
01	1203200	0.00	5.00
02	0000000	0.00	0.00
03	0000000	0.00	0.00
04	0000000	0.00	0.00
05	0000000	0.00	0.00
06	0000000	0.00	0.00
07	0000000	0.00	0.00
08	0000000	0.00	0.00

XMPT	CTL#	BK#	PG1	PG2
000000000	00000	00000	000	000

000000000 0
000000000 RECONSTRUCTION INFO
000000000 0.00
0.00

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2003 / Contours 1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

APPEAL TO THE BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair
John Suarez, Member
Ryan Chasey, Member

Please accept this letter of appeal regarding the assessment on 1219 Clara Avenue under Resolution # 7031-2005 which was due on July 29, 2005.

I(we) neglected to return the signed waiver on time because:

We were in the middle of Bankrucy chapter 13 are trying our Best to catch things up.

I(we) would like your permission to be allowed to sign the waiver to pay the assessment over 10 years at 5 % interest.

Sincerely,

Signature

Nancy Brown
Printed Name

Signature

Daniel Brown
Printed Name

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

May 24th, 2006
Date

20

Approved by State Board of Accounts for City of Fort Wayne, 2003

City of Fort Wayne

BARRETT LAW

NUMBER ONE EAST MAIN STREET, ROOM 420

FORT WAYNE, IN 46802

BL-0002229

NOTICE OF ASSESSMENT

Account No. 30205R020

BROWN DANIEL K & NANCY L

1219 CLARA AVE

FORT WAYNE, IN 46805351

Approved Date: 6/29/2005

Barrett Number: 30205R

Resolution Number: 7031-05

Property Key: 02-07-36-251-040.000-074

1219 CLARA AV

FORTMEYER SUB OF HOL ADD W39.4 FT LOT 1

Your assessment is now due and must be paid by cash, check, money order, or bonded. Assessments under $100.00 cannot be bonded.

DUE ON OR BEFORE 7/29/2005

*Delinquent fees will be added after the due date.

PROJECT TYPE	# OF UNITS	UNIT COST	ASSESSED AMOUNT	MISC. CHARGES	ADJUSTMENT	TOTAL
> - DELINQUE	1.00	$40.93000000	$40.93	$0.00	$0.00	$40.93
C - CURB	23.00	$9.39000000	$215.97	$0.00	$0.00	$215.97
H - DRIVE AP	8.00	$26.51000000	$212.08	$0.00	$0.00	$212.08
I - YARDWAL	2.75	$22.96000000	$63.14	$0.00	$0.00	$63.14
					Please Pay This Amount	**$532.12**

This is a VALID RECEIPT WHEN STAMPED PAID BY COLLECTING OFFICER. Please see that descriptions are correct. When paying by mail, this statement must be returned with a self-addressed, stamped envelope if a receipt is desired.

PHONE: 427-1105 **Make Check Payable To: CITY OF FORT WAYNE BARRETT LAW**

Waiver and Demand of Property Owners

The undersigned against whose real estate an assessment was made on the above approved date according to Barrett No. 30205R, per description given in consideration for having the right to pay said assessments in installments, hereby agree each for himself that he will not make any objections to said assessments for illegality or irregularity, and that he will pay the same at 5.00% interest thereon.

Any property owner who has signed a waiver to pay his/her assessment in deferred installments may, at any time, pay up his/her entire assessment, on the condition that he/she at the same time, pay all interest due on a minimum of the first 1/5 of the installments and the balance of principal due.

If any account is six months or more delinquent, the total assessment (all installments of principal and interest) are considered to be in default and the entire account will be certified to the Allen County Auditor for tax sale before June 1st. of the calendar year following delinquency.

PLEASE SELECT ONE OF THE FOLLOWING OPTIONS

ONE PAYMENT PER YEAR FOR 10 YEARS 1 ONE PAYMENT PER MONTH FOR 10 YEARS _____

If you wish to bond this assessment and return waiver by mail, you must sign this "waiver" section by the above due date. Signatures of all recorded property owners are required and must be notarized if mailed. If the waiver is signed by at least one owner and witnessed in the Barrett Law Office, notarization is not required; however, all owner's signatures must be on the waiver.

Signature: _____

Signature: _____

Installment notices to be mailed to: _____

_____

Subscribed and sworn before me this _____ day of _____ 20 _____

PRINTED NAME OF NOTARY NOTARY'S SIGNATURE

_____ My Commission Expires _____

COUNTY OR RESIDENCE

2(

APPEAL TO THE BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair
John Suarez, Member
Ryan Chasey, Member

Please accept this letter of appeal regarding the assessment on 1209 Clara Avenue.
under Resolution # 7031-05 which was due on July 29, 2005.
I neglected to returned the signed waiver on time because:

I over looked the fact that the waiver was required to set up payments. After I began receiving bills for the full amount, I sent the waiver in. My assumtion was that this bill would come out of my other taxes. Now I realize that these are two seperate bills.

I would like your permission to be allowed to sign the waiver to pay the assessment over 10 years at 5 % interest.

Sincerely,

Signature

Mark Schenimann
Printed Name

Signature

Printed Name

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

May 24th, 2006
Date

Approved by State Board of Accounts for City of Fort Wayne, 2003

City of Fort Wayne

BARRETT LAW

NUMBER ONE EAST MAIN STREET, ROOM 420

FORT WAYNE, IN 46802

BL-0002237

NOTICE OF ASSESSMENT

Account No. 30205R028

SCHENIMANN MARK

1209 CLARA AVE

FORT WAYNE, IN 46805351

Approved Date: 6/29/2005

Barrett Number: 30205R

Resolution Number: 7031-05

Property Key: 02-07-36-251-039.000-074

1209 CLARA AV

E 48FT LOT 13 S1/2 H C HANNAS OUT LOTS ADD

Your assessment is now due and must be paid by cash, check, money order, or bonded. Assessments under $100.00 cannot be bonded.

DUE ON OR BEFORE 7/29/2005

*Delinquent fees will be added after the due date.

PROJECT TYPE	# OF UNITS	UNIT COST	ASSESSED AMOUNT	MISC. CHARGES	ADJUSTMENT	TOTAL
$ - DEL INTER	1.00	$57.26000000	$57.26	$0.00	$0.00	$57.26
C - CURB	34.50	$9.39000000	$323.96	$0.00	$0.00	$323.96
H - DRIVE AP	11.75	$26.51000000	$311.49	$0.00	$0.00	$311.49
I - YARDWAL	2.25	$22.96000000	$51.66	$0.00	$0.00	$51.66
					Please Pay This Amount	**$744.37**

This is a VALID RECEIPT WHEN STAMPED PAID BY COLLECTING OFFICER. Please see that descriptions are correct. When paying by mail, this statement must be returned with a self-addressed, stamped envelope if a receipt is desired.

PHONE: 427-1105 **Make Check Payable To: CITY OF FORT WAYNE BARRETT LAW**

Waiver and Demand of Property Owners

The undersigned against whose real estate an assessment was made on the above approved date according to Barrett No. 30205R, per description given in consideration for having the right to pay said assessments in installments, hereby agree each for himself that he will not make any objections to said assessments for illegality or irregularity, and that he will pay the same at 5.00% interest thereon.

Any property owner who has signed a waiver to pay his/her assessment in deferred installments may, at any time, pay up his/her entire assessment, on the condition that he/she at the same time, pay all interest due on a minimum of the first 1/5 of the installments and the balance of principal due.

If any account is six months or more delinquent, the total assessment (all installments of principal and interest) are considered to be in default and the entire account will be certified to the Allen County Auditor for tax sale before June 1st. of the calendar year following delinquency.

PLEASE SELECT ONE OF THE FOLLOWING OPTIONS

ONE PAYMENT PER YEAR FOR 10 YEARS X ONE PAYMENT PER MONTH FOR 10 YEARS ____

If you wish to bond this assessment and return waiver by mail, you must sign this "waiver" section by the above due date. Signatures of all recorded property owners are required and must be notarized if mailed. If the waiver is signed by at least one owner and witnessed in the Barrett Law Office, notarization is not required; however, allowner's signatures must be on the waiver.

Signature: M K Schenimann

Signature: _____

Installment notices to be mailed to: 1209 Clara Ave. Fort Wayne IN 46805

Subscribed and sworn before me this 18th day of May 20 06

Carly M. Wiggins

PRINTED NAME OF NOTARY

Carly M. Wiggins

NOTARY'S SIGNATURE

Allen

COUNTY OR RESIDENCE

My Commission Expires 9/4/2009

23

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: May 31, 2006

RE: 2002 FWMBC Transportation Building Project

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,800.00 to be paid from the proceeds of the 2002 FWMBC Transportation Building Project which are held in an escrow at Wells Fargo Corporate Trust Services.

Wells Fargo Corporate Trust Services	1,800.00
Total for Payment Request	**$ 1,800.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

May 24, 2006
Date

IMPROVEMENT RESOLUTION NO. 7084-06

RESURFACING PACKAGE B - 2006
WORK ORDER NO. 11917

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: THE FOLLOWING STREETS BY MILLING AND RESURFACING.

4TH DISTRICT 2006 - 1.6 MILES
OLD MILL: LEXINGTON TO RUDISILL
RUDISILL: BROADWAY TO BEAVER
RUDISILL: BEAVER TO INDIANA
RUDISILL: INDIANA TO BEAVER
RUDISILL: BEAVER TO TACOMA
RUDISILL: TACOMA TO SOUTH WAYNE

5TH DISTRICT 2006 - 1.3 MILES
RUDISILL: SOUTHWAYNE TO ARLINGTON
RUDISILL: ARLINGTON TO FAIRFIELD
RUDISILL: FAIRFIELD TO BUELL
RUDISILL: BUELL TO HOAGLAND
RUDISILL: HOAGLAND TO WEBSTER
RUDISILL: WEBSTER TO HARRISON
RUDISILL: HARRISON TO CALHOUN
INDIANA: RUDISILL TO ILLSEY
PACKARD: INDIANA TO BEAVER

6TH DISTRICT 2006 - 1.6
CHRISTOPHER: SALEM TO ASHCROFT
ASHCROFT: SALEM TO CHRISTOPHER
SALEM: ROBERTA TO CHRISTOPHER
DREXEL: ALEXANDER TO QUEEN
MCMILLEN PARK: MCKINNIE TO SCHAPER
SCHAPER: MCMILLEN PARK TO WOODSDALE
WOODSDALE: MAPLE GROVE TO CAPITAL
FROSCH: WAYCROSS TO HESSEN CASSEL
NEWLIN: DEBENEY TO DEAD END
INTERSECTION: CLOVERDALE AND MONO GENE

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 31st day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

PROJECT: RESURFACING PKG. "B" 2006 RES. NO.: 7084-06

DATE: JUNE 7, 2006 W.O. NO.: 11917

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	SURFACE MILLING, BITUMINOUS	65628	SY	1.50	98442.00
2	BITUMINOUS MATERIAL FOR TACK COAT	33	TON	245.00	8085.00
3	BITUMINOUS BINDER NO 8 OR 9, H.M.A.	5414	TON	45.00	243630.00
4.	BITUMINOUS SURFACE NO 11, H.M.A.	3975	TON	62.00	246450.00
5	BITUMINOUS MIXTURE FOR PATCHING	800	TON	55.00	44000.00
6	BITUMINOUS MIXTURE FOR APPROACHES FOR SIDE STREETS	937	TON	62.00	58094.00
7	WATER VALVE (ADJUST TO GRADE) (UNDISTRIBUTED QUANTITY)	30	EA	35.00	1050.00
8	WATER VALVE (FURNISH AND ADJUST TO GRADE) (UNDISTRIBUTED QUANTITY)	3	EA	120.00	360.00
9	CASTINGS (ADJUST TO GRADE) (UNDISTRIBUTED QUANTITY)	25	EA	150.00	3750.00
10	CASTINGS (FURNISH AND ADJUST TO GRADE) (UNDISTRIBUTED QUANTITY)	5	EA	500.00	2500.00
11	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 4" SKIP LINE	2600	LF	0.60	1560.00
12	TEMPORARY PAVEMENT MARKING, YELLOW 4"	1100	LF	0.60	660.00
13	PAVEMENT MARKING, SOLID WHITE, THERMOPLASTIC, 4" LANE LINE	350	LF	1.00	350.00
14	PAVEMENT MARKING, SOLID YELLOW, CENTERLINE THERMOPLASTIC, 4" LINE 36' GAP	11000	LF	1.00	11000.00
15	PAVEMENT MARKING, WHITE, CROSSWALK LINE, 6"	950	LF	1.25	1187.50
16	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" STOP BAR	275	LF	5.00	1375.00
17	PAVEMENT MARKING, "ARROW",WHITE, THERMOPLASTIC	1	EA	200.00	200.00
18	PAVEMENT MARKING, "ONLY", WHITE, THERMOPLASTIC	1	EA	200.00	200.00
19	SAW SLOT FOR ROADWAY LOOP AND SEALER	200	LF	10.00	2000.00
20	SIGNAL LOOP CABLE, ROADWAY LOOP, 1C / 14 GA.	750	LF	0.80	600.00
21	MAINTENANCE OF TRAFFIC	1	LS	70000.00	70000.00
22	MOBILIZATION AND DEMOBILIZATION	1	LS	50000.00	50000.00

SUB-TOTAL:	845493.50
E&I @16%	50000.00
TOTAL:	$895,493.50

LONG ROAD (SHORDON TO FOX HOME) – WATER MAIN EXTENSION
RESOLUTION NO. 1576-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 25 LF of 6-inch water main, 20 LF of 12-inch water main, 1,700 LF of 16-inch water main, 2 fire hydrants, 3 valves, and all other appurtenances and work as necessary for the water main extension project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "LONG ROAD (SHORDON TO FOX HOME) – WATER MAIN EXTENSION"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" (Property Acquisition Summary Sheet).

States there is no cost for the purchase of easements associated with this project.

Declares the engineer's estimate of the project's total cost is $127,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 31st DAY OF May, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Attachment "A"

Property Acquisition Sheet

Long Road (Shordon to Fox Home) - Water Main Extension

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NUMBERS (project plans)	SOURCE OF TITLE DEED RECORD NUMBER	WATER EASEMENT (SQ. FT.)	TEMPORARY EASEMENT (SQ. FT.)	REMARKS	EASEMENT DOCUMENT NUMBER
1	Shordon Estates Community Association, Inc.	2700 Block Long Road		910026130	70,131.6	0		203122811

IMPROVEMENT RESOLUTION NO. 7097-06

CONCRETE STREET REPAIRS 1, 2 & 3 - 2006
WORK ORDER NO. 11928

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

PATRICK LANE FROM LOUISEDALE DRIVE TO TRICK AVENUE BY PARTIAL RECONSTRUCTION OF CONCRETE PAVEMENT, CONCRETE DRIVE APPROACHES, REHABILITATION OF STORM DRAINAGE AND MULCH SEED RESTORATION.

VARIOUS LOCATIONS ON LONE EAGLE WAY IN EAGLE LAKE ADDITION BY PARTIAL RECONSTRUCTION OF CONCRETE PAVEMENT, CONCRETE CURBS, REHABILITATION OF STORM DRAINAGE, AND MULCH SEED RESTORATION.

VARIOUS LOCATIONS ON SONA MARIA COURT, TAMAR COVE, HOLLISTON TRAIL, AND MAREL COURT IN WOODLAND LAKES ADDITION BY PARTIAL RECONSTRUCTION OF CONCRETE PAVEMENT, CONCRETE CURBS, REHABILITATION OF STORM DRAINAGE, AND MULCH SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 31st day of May, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: CONC. STREET REPAIR PKG. 1,2 &3 **RES. NO.: 7097-06**
DATE: 5-23-2006 **W.O. NO.: 11928**
BID DATE: 6-28-2006

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	88	SY	$6.00	$528.00
2	REMOVAL OF CONCRETE PAVEMENT	1960	SY	$7.00	$13,720.00
3	REMOVAL OF CONCRETE CURB	216	LF	$5.00	$1,080.00
4	CEMENT CONCRETE PAVEMENT, PLAIN, 6 INCHES (7-BAG MIX W / SUPERPLASTICIZER	1960	SY	$29.00	$56,840.00
5	"SPECIAL" 4' CONCRETE CURB TYPE I-B	216	LF	$17.00	$3,672.00
6	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE	88	SY	$28.00	$2,464.00
7	CASTING TYPE "C" (ADJUST TO GRADE)	3	EA	$175.00	$525.00
8	CASTING TYPE "C" (FURNISH AND ADJUST)	6	EA	$350.00	$2,100.00
9	BACKFILL BEHIND CURB	42	TON	$8.00	$336.00
10	BED COURSE MATERIAL	15	TON	$12.00	$180.00
11	COMPACTED AGGREGATE FOR BASE TYPE "O" (NO. 53 STONE)	328	TON	$15.00	$4,920.00
12	TOP SOIL	110	TON	$16.00	$1,760.00
13	SEED, MULCH, & FERTILIZER	415	SY	$1.50	$622.50
14	TYPE III BARRICADES W / FLASHERS	4	EA	$150.00	$600.00
15	PLASTIC DRUMS W / FLASHERS	64	EA	$32.00	$2,048.00
16	CONSTRUCTION SIGNS TYPE "A"	8	EA	$80.00	$640.00
17	MAINTENANCE OF TRAFFIC	1	LS	$4,400.00	$4,400.00
18	MOBILIZATION AND DE-MOBILIZATION	1	LS	$4,400.00	$4,400.00

SUB-TOTAL: $100,835.50
E&I @16% $16,133.68

TOTAL: $116,969.18

APPEAL TO THE BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair
John Suarez, Member
Ryan Chasey, Member

Please accept this letter of appeal regarding the assessment on 713 Stratton Road under Resolution # 7055-2005 which was due on February 17, 2006.

I(we) neglected to return the signed waiver on time because:

LETTER WAS misplaced OR LOST. I apologize for this.

I(we) would like your permission to be allowed to sign the waiver to pay the assessment over 10 years at 5 % interest.

Sincerely,

Manfred Derkatsch
Signature

Manfred Derkatsch
Printed Name

Omega Derkatsch
Signature

Printed Name

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

May 31st, 2006
Date

Approved by State Board of Accounts for City of Fort Wayne, 2003

City of Fort Wayne

BL-0002855

BARRETT LAW
NUMBER ONE EAST MAIN STREET, ROOM 420
FORT WAYNE, IN 46802

NOTICE OF ASSESSMENT

Account No. 30211R008

DERKATSCH MANFRED & OMEGA

Approved Date: 1/18/2006
Barrett Number: 30211R
Resolution Number: 7055-05
Property Key: 02-07-24-101-018.000-073

713 STRATTON DR
FORT WAYNE, IN46825

713 STRATTON RD
WASHINGTON CENTER PLACE LOT 30 SEC A

Your assessment is now due and must be paid by cash, check, money order, or bonded. Assessments under $100.00 cannot be bonded.

DUE ON OR BEFORE 2/17/2006

*Delinquent fees will be added after the due date.

PROJECT TYPE	# OF UNITS	UNIT COST	ASSESSED AMOUNT	MISC. CHARGES	ADJUSTMENT	TOTAL
G - LIGHTS	100.00	$5.70000000	$570.00	$0.00	$0.00	$570.00
H - DRIVE AP	31.00	$23.40000000	$725.40	$0.00	$0.00	$725.40
E - WALKS	81.40	$14.55000000	$1,184.37	$0.00	$0.00	$1,184.37
C - CURB	100.00	$8.34000000	$834.00	$104.77	($170.81)	$767.96

Please Pay This Amount **$3,247.73**

This is a VALID RECEIPT WHEN STAMPED PAID BY COLLECTING OFFICER. Please see that descriptions are correct. When paying by mail, this statement must be returned with a self-addressed, stamped envelope if a receipt is desired.

PHONE: 427-1105 **Make Check Payable To: CITY OF FORT WAYNE BARRETT LAW**

Waiver and Demand of Property Owners

The undersigned against whose real estate an assessment was made on the above approved date according to Barrett No. 30211R, per description given in consideration for having the right to pay said assessments in installments, hereby agree each for himself that he will not make any objections to said assessments for illegality or irregularity, and that he will pay the same at 5.00% interest thereon.

Any property owner who has signed a waiver to pay his/her assessment in deferred installments may, at any time, pay up his/her entire assessment, on the condition that he/she at the same time, pay all interest due on a minimum of the first 1/5 of the installments and the balance of principal due.

If any account is six months or more delinquent, the total assessment (all installments of principal and interest) are considered to be in default and the entire account will be certified to the Allen County Auditor for tax sale before June 1st. of the calendar year following delinquency.

PLEASE SELECT ONE OF THE FOLLOWING OPTIONS

ONE PAYMENT PER YEAR FOR 10 YEARS _____ ONE PAYMENT PER MONTH FOR 10 YEARS _____

If you wish to bond this assessment and return waiver by mail, you must sign this "waiver" section by the above due date. Signatures of all recorded property owners are required and must be notarized if mailed. If the waiver is signed by at least one owner and witnessed in the Barrett Law Office, notarization is not required; however, all owner's signatures must be on the waiver.

Signature: _____

Signature: _____

Installment notices to be mailed to: _____

_____

Subscribed and sworn before me this _____ day of _____ 20 _____

PRINTED NAME OF NOTARY NOTARY'S SIGNATURE

_____ My Commission Expires _____

COUNTY OF RESIDENCE

9

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: May 23, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payment with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 1,071,749.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742.

Draw #39	Barton Mallow and National City Bank	$ 1,071,749

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

May 31st, 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: May 23, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 117,131.00** to be paid from 2005 State Revolving Funds. These expenses are for the Parkerdale Sanitary Sewer Extension – W.O. 74750, and the WPCP Dechlorination Project – W.O. 75003.

Draw #40	Geiger Developing and Tower Bank	$ 107,184.00
Draw #41	Reimbursement: Ft. Wayne Municipal Sewage Works	2,145.00
Draw #42	CH2M Hill	7,802.00
	Total SRF Payments	**$ 117,131.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

May 31st 2006
Date

OFFER TO PURCHASE REAL ESTATE

To: City of Fort Wayne Owners,
Date 5-31-06

I/We AMH ENTERPRISES, LLC hereby offer to purchase for the sum of $ 1,000.00 In accordance with Paragraphs below, the real estate in Allen County, Indiana commonly known as VIOLA DRIVE, the legal description of which is LOT 33 AND NORTH PART OF LOT 32 IN THE AMENDED PLAT OF DEER PARK ADDITION TO THE CITY OF FORT WAYNE

1) **PURCHASE PRICE**
A) **CASH** The entire purchase price shall be paid in cash, cashiers check or money order.

2) **CLOSING.** Within forty-five (45) business days of payment of the Purchase Price, Seller shall deliver a properly executed Quit Claim Deed, conveying the real estate, improvements, and fixtures in substantially their present condition, usual wear and tear excepted, and if Seller is unable to do so, Buyer shall have the option to revoke this Agreement and have the Purchase Price returned, within 30 days from demand.

3) **POSSESSION** shall be after Quit Claim Deed is received by Buyer.

4) The Real Estate, its improvements, fixtures and utility systems, and any personal property included in this sale are being sold in "AS IS" condition, without warranty of any kind from Seller, either express or implied.

5) This Agreement is solely between Buyer and Seller. The Agent(s) shall not be liable for any existing or arising defects or deficiencies in the real estate, improvement, or equipment thereon.

6) Survey to be prepared by Buyer's surveyor at Buyer's expense.

7) Buyer to acquire title search/insurance at Buyer's expense.

Buyer: AMH ENTERPRISES, LLC
By ANTHONY M. HENRY, MANAGER
Buyer: Anthony M. Henry, Mgr.
Address: 1006 SPRING STREET
FORT WAYNE, IND 46808
Phone: 437-8254

Payment of $ _____ received.

The undersigned Seller of the property described in this agreement hereby accepts said offer and agrees to abide by the terms and conditions thereof this _____ day of _____.

By: _____

Legend

- Address Points
- Businesses
- County
- Interstate
- Municipal
- Private
- State
- US Highway

Parcel Line

Alpha Tag

- Claim Line
- County Line
- Geog Twp Line
- Lot Line
- Misc Line
- Page Match Line
- Parcel Line
- Pol Corp Line
- Pol Twp Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- State Line
- Sub Line 100
- Sub Line 400
- Unknown Linear
- Water Line
- Floodway
- Floodplain

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2003 / Contours:1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any liability resulting from any error or omission in this map.

N W E S

0 25 50 Feet

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: June 7, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $4,982.00 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

DELL Marketing	PR #6	4,392.74
ASAP Software	PR #6	589.26
	Total for Payment Request	**$ 4,982.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

June 7th, 2006
Date

16

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: May 31, 2006

RE: 2005 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $102,862.74 to be paid from the proceeds of the 2005 Passenger Vehicle Lease Financing which are held in an escrow at JP Morgan Trust Company.

Payment Request #12

DeHaven Chevrolet	23,528.99
Dimension Ford	79,333.75
Total for Payment Request #12	**$ 102,862.74**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

June 7th, 2006
Date

4V

IMPROVEMENT RESOLUTION NO. 7096-06

FAIRFIELD AVENUE STREETSCAPE
WORK ORDER NO. 11922

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: both sides of Fairfield Avenue from Kinnard Avenue to Packard Avenue by replacing curbs, sidewalks, curbramps, drive approaches, and street lights; West side of Fairfield Avenue from Packard Avenue to Kinsmoor by replacing curbs, sidewalks and curbramps; South side of Kinnard Avenue from Fairfield Avenue to a point 300ft west thereof by replacing curbs, sidewalks, curbamps, drive approaches, and street lights; North side of Packard Avenue from Fairfield Avenue to a point 300ft west thereof by replacing curbs, sidewalks, curbramps, and drive approaches.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne for work performed in City right-of-way, and property owners shall pay for remaining portion of work performed on private property.

Adopted this 7th day of June, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Fairfield Ave. Streetscape

RES. NO.: 7096-06

DATE: 5/5/2006

W.O. NO.: 11922

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	2230	SY	5.00	11150.00
2.	Removal of Curb	1310	LF	4.00	5240.00
3.	Common Excavation	115	CY	15.00	1725.00
4.	Concrete Curb Type III	1020	LF	11.00	11220.00
5.	Concrete Curb Type II-B	290	LF	11.00	3190.00
6.	Concrete Sidewalk (4")	1520	SY	22.00	33440.00
7.	Concrete Pavement for Commercial Drive (8")	160	SY	30.00	4800.00
8.	Concrete Wingwalk & Ramps (6")	210	SY	35.00	7350.00
9.	Bed Course Material	325	TON	10.00	3250.00
10.	Backfill Behind Curb (Borrow)	100	TON	8.00	800.00
11.	Tree, Prune & Fertlize	3	EA	60.00	180.00
12.	Tree Removal (10")	5	EA	350.00	1750.00
13.	Tree Removal (18")	2	EA	500.00	1000.00
14.	Top Soil	250	TON	12.00	3000.00
15.	Mulched Seeding,	950	SY	2.00	1900.00
16.	Special Soil Mixture for Excavated Planting Areas	230	TON	20.00	4600.00
17.	Construction Sign, A	6	EA	80.00	480.00
18.	Mobilization / Demobilization	1	LS	5000.00	5000.00
19.	Maintance Of Traffic	1	LS	5000.00	5000.00
20.	Install Concrete Foundation	8	EA	625.00	5000.00
21.	Install FTWSTD Pole / Acorn Fixture	8	EA	2400.00	19200.00
22.	Trench / Backfill	600	LF	1.25	750.00
23.	Push / Bore	35	LF	6.00	210.00
24.	Install Conduit in Trench	200	LF	1.40	280.00
25.	Install Traycable Wire	650	LF	1.75	1137.50
26.	Install Riser Assembly	1	EA	125.00	125.00
27.	Install I.D. Tag	8	EA	4.00	32.00
28.	Adjust Casting to Grade	3	EA	100.00	300.00
29.	New Inlet Type I-C	1	EA	1000.00	1000.00
30.	New Casting Type "A" Furnish and Adjust to to Grade	2	EA	450.00	900.00
31.	Abandon Structure	1	EA	500.00	500.00

SUB-TOTAL:	134509.50
E&I @16%	21521.52
TOTAL:	$156,031.02

Revised: 02-13-04

IMPROVEMENT RESOLUTION NO. 7089-06

CONCRETE STREET REPAIRS 4A - 2006
WORK ORDER NO. 11924

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Creighton Home Neighborhood: Alley behind 2600 block of Broadway by reconstruction of concrete alley, which includes drainage infrastructure improvements; Southwest Waynedale: Old Trail Road from Church Street to a point 550 L.F. north by partial pavement repair by reconstruction of roadway, i.e. cement concrete pavement; which includes integral curbs, reconstruct residential /commercial drive approaches; Westwood Valley: 2900 block of Overlook Drive by reconstruction of cul-de-sac, which includes integral curbs, reconstruct residential drives; Winterset Addition: Nightfall and Riverhaze intersection, also Winterset and Blue Mist intersection by reconstruction of concrete roadway, which includes integral curbs, reconstruct residential drives; Avalon Addition: Knightswood Drive from new portion at entrance off Lower Huntington Rd. to south by reconstruction of concrete roadway, which includes integral curbs, reconstruct residential drives, curb-ramp reconstruction, drainage infrastructure improvements, top soil and mulched seeding.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 7th day of June, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: CONCRETE STREET REPAIRS 4A - 2006 RES. NO.: 7089-06

DATE: 5/8/2006 W.O. NO.: 11924

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	9500.00	9500.00
2.	Removal of Concrete	444	SY	6.00	2664.00
3.	Removal of Pavement	2719	SY	6.75	18353.25
4.	Concrete Curb Type II-A (Old Trail Road)	655	LF	11.00	7205.00
5.	Cement Concrete Pavement, Plain, 6" (7 Bag Mix, Superplasticizer)	2547	SY	23.50	59854.50
6.	Concrete Pavement For Alley (7")	172	SY	32.50	5590.00
7.	Concrete Wingwalk & Ramps	55	SY	40.00	2200.00
8.	Concrete Sidewalk, 4"	17	SY	30.00	510.00
9.	Concrete Pavement for Residential Drive (6")	154	SY	26.00	4004.00
10.	Concrete Pavement for Commercial Drive, 8"	136	SY	30.00	4080.00
11.	Type "O" Compacted Aggregate for Base, No. 53	470	TN	15.50	7285.00
12.	Type "O" Compacted Aggregate for Surface, No.73 (For area adjacent to Alley at Grace Avenue)	20	TN	18.00	360.00
13.	Backfill Behind Curb (Borrow)	128	TN	8.50	1088.00
14.	Bed Course Material	72	TN	15.00	1080.00
15.	Underdrain,6" Perforated Plastic, Group K Pipe (incl. #8 Aggregate Backfill)	1435	LF	10.00	14350.00
16.	Expansion Joint with Load Transfer, One (1") inch	146	LF	12.00	1752.00
17.	Pipe, RCP, Class IV, 12" (Include Bedding and No. 53 Stone Backfill)	69	LF	50.00	3450.00
18.	Castings, Adjusted To Grade	4	EA	175.00	700.00
19.	Casting, Type A, Furnished & Adjusted to Grade	2	EA	350.00	700.00
20.	Casting, Type C, Furnished & Adjusted to Grade	2	EA	350.00	700.00
21.	Casting, Type F, Furnished & Adjusted to Grade	1	EA	350.00	350.00
22.	Manhole, Type I-B (Complete-In-Place)	2	EA	2500.00	5000.00
23.	Catch Basin, Type I-F (Complete-In-Place)	1	EA	3000.00	3000.00
24.	Inlet, Type I-C	3	EA	1200.00	3600.00
25.	Water Valves (Curb-Box) Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	23	EA	35.00	805.00
26.	Water Valves (Valve-Box) Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	3	EA	75.00	225.00
27.	Construction Signs, Type A With Construction Warning Light Type A	21	EA	75.00	1575.00
28.	Standard Barricade, Type III-B With Signs, Type B Construction	28	EA	125.00	3500.00
29.	Top Soil	80	TN	15.00	1200.00
30.	Mulched Seeding,	625	SY	2.00	1250.00
31.	Tree, Fertlize	14	EA	65.00	910.00
32.	Maintenance of Traffic	1	LS	8500.00	8500.00

SUB-TOTAL: 175340.75
E&I @16% 28054.52

TOTAL: $203,395.27

39

Revised: 02-13-04

A RESOLUTION declaring the intent to sell real estate owned by the City of Fort Wayne.

#93-6-7-06-1

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of property located at 2600 block of Perth St., Fort Wayne, Indiana and more particularly described as:

LOT 39 ABBOTTS ADD TO E WAYNE

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare intent to sell the above-named property, following all applicable state statutes.

Signed this 7th day of June, 2006.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Subscribed and sworn before me, the undersigned, a Notary Public, in and for said County and State, this 7th day of June, 2006.

Notary Public

My Commission Expires MICHELLE RENEE HADLEY.

Notary Public, State of Indiana
County of Allen
My Commission Expires 11/26/2006

I am a Resident of County, Indiana.

****** REAL PROPERTY MASTER FILE CHANGE 2006 PAY 2007 ******

KEY NUMBER: 02-13-07-492-010.000-074 / 93-2001-5039

TAX CODE = 5

OWNER NAME/ADDRESS
FORT WAYNE CITY OF

[redacted] MAIN ST
FORT WAYNE, IN 46802 1804

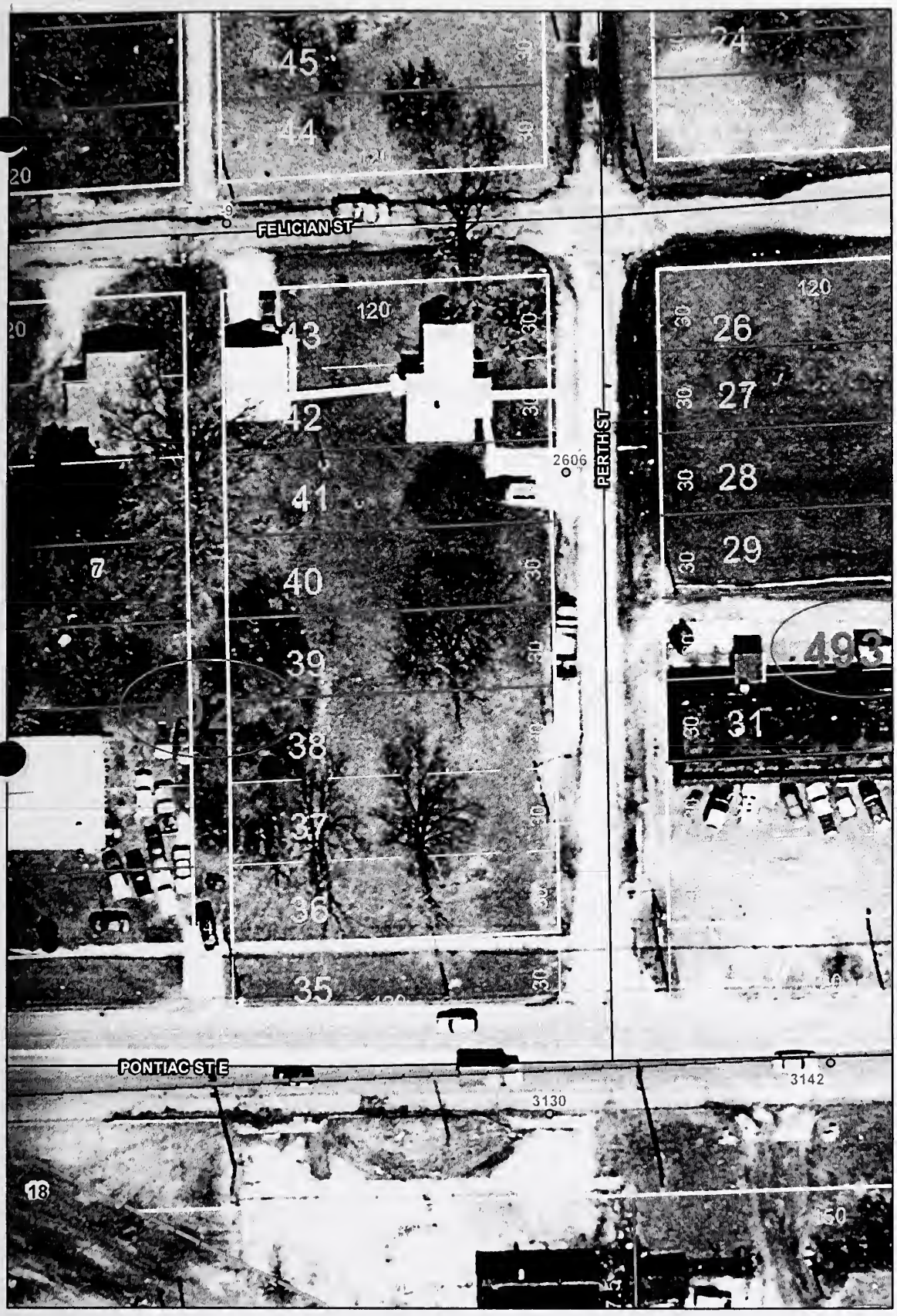
LEGAL DESCRIPTION
LOT 39 ABBOTTS ADD TO E WAYNE

PROP ADD HOUSE #: 02600 DIR:
STREET : PERTH ST (BLK OF)
ZIP CODE: 46803
DEED: REF#: 0T8009 TRNDAT: 10111985
ACTIVITY DATES: 09142005 10082004
R LAND: 000000000 HOMESTEAD YR = 0000
NR LAND: 000000000 HOME FLAG: N - 00000
TL LAND: 000000000 ACRES: 0.00
R IMPV: 000000000 USE CODE: 640
NR IMPV: 000000000
TL IMPV: 000000000

DRAIN INFORMATION

	NUMBER	ACRES	AMOUNT
01	0000000	0.00	0.00
02	0000000	0.00	0.00
03	0000000	0.00	0.00
04	0000000	0.00	0.00
05	0000000	0.00	0.00
06	0000000	0.00	0.00
07	0000000	0.00	0.00
08	0000000	0.00	0.00

XMPT	CTL#	BK#	PG1	PG2
000000000	00000	0	0	0
000000000			0	
000000000	RECONSTRUCTION INFO			
000000000	00000000		0.00	
	00000000		0.00	



Legend

- Address Points
- Businesses
- County
- Interstate
- Municipal
- Private
- State
- US Highway

Parcel Line

Alpha Tag

- Claim Line
- County Line
- Geog Twp Line
- Lot Line
- Misc Line
- Page Match Line
- Parcel Line
- Pol Corp Line
- Pol Twp Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- State Line
- Sub Line 100
- Sub Line 400
- Unknown Linear
- Water Line

N
W E
S

0 30 60 Feet

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2003 / Contours:1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: June 14, 2006

RE: 2006 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $163,186.63 to be paid from the proceeds of the 2006 Passenger Vehicle Lease Financing which are held in an escrow at JP Morgan Trust Company.

Payment Requests #1 - #2

Decatur Electronics	24,888.00
Sirchie Finger Print Laboratories	14,950.00
Frost Illustrated	495.00
Fort Wayne Newspapers	556.14
Don Ayres Pontiac	17,333.85
Applied Metals & Machine Works	1,000.00
DeHaven Chevrolet	14,900.00
Bloomington Ford	53,821.00
Dimension Ford	27,337.25
Barney's Auto Electric	6,575.39
The Waymire Group	1,330.00
Total for Payment Requests	**$ 163,186.63**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

June 14th, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: June 14, 2006

RE: 2006 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $131,113.68 to be paid from the proceeds of the 2006 Passenger Vehicle Lease Financing which are held in an escrow at JP Morgan Trust Company.

Payment Requests #4 - #5

Ben Davis Chevrolet	66,517.90
Kelley Chevrolet	38,673.00
Don Ayres Pontiac	25,922.78
Total for Payment Requests	**$ 131,113.68**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

June 14th 2006
Date

32

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: June 14, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $9,285.21.00 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

DELL Marketing	PR #7	7,517.43
ASAP Software	PR #7	1,767.78
	Total for Payment Request	**$ 9,285.21**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

June 14th, 2006
Date

31

Dewatering System at Third Street Lift Station
RESOLUTION NO. 1787-2005

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The Third Street CSO lift station will receive a 500 gpm pump, controls, and plumbing for dewatering the wet well in dry weather conditions. This project also involves cleaning the entire wet well.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Dewatering System at Third Street Lift Station**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $130,000.00.

APPROVED THIS 14th DAY OF June, 2006.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan Chasey, Member

ATTEST: _____
Marilyn Huth, Clerk

STREET LIGHT RESOLUTION

NUMBER 299-05

EAST STATE BOULEVARD

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install an underground street light system on EAST STATE BLVD., from Kentucky Avenue to Florida Drive, in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded by 2nd, 3rd, & 5th Council District CEDIT Funds and property owners. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Ryan P. Chasey -Member

ATTEST:

Marilyn Huth – Clerk

Dated this 21st day of June, 2006

IMPROVEMENT RESOLUTION NO. 7098-06

COOK ROAD, PHASE II
WORK ORDER NO. 11893

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Cook Rd. from Coldwater Rd. to approximately 1000 lineal feet East of the Penn Central Railroad , by spot replacement of concrete pavement, subsurface drainage improvements, and restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 21st day of June, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: COOK RD. PHASE 2
DATE: 6/13/2006
BID DATE:

RES. NO.: 7098- 06
W.O. NO.: 11893

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	MOBILIZATION & DEMOBILIZATION	1	LS	8825.00	8825.00
2	MAINTENANCE OF TRAFFIC	1	LS	8450.00	8450.00
3	REMOVAL OF CURB	940	LFT	4.50	4230.00
4	REMOVAL OF CONCRETE PAVEMENT	2574	SYS	10.50	27027.00
5	TYPE O COMPACTED AGGREGATE FOR BASE, NO 53 OR NO 8	475	TON	12.60	5985.00
6	CEMENT CONCRETE PAVEMENT, PLAIN, HIGH EARLY (9") (INCLUDING J BOLTS)	492	SYS	44.00	21648.00
7	CEMENT CONCRETE PAVEMENT, PLAIN, (9") (INCLUDING J BOLTS)	2082	SYS	40.00	83280.00
8	CASTINGS ADJUSTED TO GRADE	4	EA	131.25	525.00
9	BORROW (Behind curb)	60	TON	10.50	630.00
10	TOP SOIL	62	TON	15.75	976.50
11	MULCHED SEEDING	400	SY	1.25	500.00
12	INLET, TYPE IV - E (INCLUDING 12" R.C.P. PIPE COMPLETE IN PLACE)	1	EA	1800.00	1800.00
13	REMOVE AND REPLACE WITH TYPE "C" CASTING	1	EA	350.00	350.00
14	CONCRETE WINGWALK & RAMPS (UNDISTRIBUTED)	32	SY	33.60	1075.20
15	CONCRETE CURB, TYPE II-A	940	LFT	7.35	6909.00
16	TYPE III BARRICADE	5	EA	105.00	525.00
17	TYPE III BARRICADE WITH SIGN	5	EA	130.00	650.00
18	UNDERDRAIN 6" PERFORATED PLASTIC, GROUP "K"	230	LFT	8.00	1840.00
19	CONSTRUCTION SIGNS, TYPE A	4	EA	52.50	210.00
20	FLASHING ARROW SIGN	60	DAYS	32.00	1920.00
	TRAFFIC ITEMS				
21	Line, Paint, Skip, White 4 "	220	LFT	0.33	72.60
22	Line, Paint, Solid, White 4"	1915	LFT	0.13	248.95
23	Line,Paint, Solid, Yellow 4"	2620	LFT	0.13	340.60
24	Line, Paint, Solid White, 24".(Stop Bar)	174	LFT	5.30	922.20
25	Pavement Message Markings, Paint, Lane Indication Arrow	13	EA	80.00	1040.00
26	Pavement Message Markings, Paint, Lane Indication Arrow (Thru & Right)	2	EA	160.00	320.00
27	Pavement Message Markings, Paint, Word (Only)	13	EA	82.00	1066.00
28	Transverse Markings, Paint, 8" (Cross walk)	320	LFT	0.48	153.60
29	TRANSVERSE MARKINGS, Paint White, (CROSSHATCH) 12"	56	LFT	2.50	140.00
30	SAW CUT FOR ROADWAY LOOP AND SEALER (if ordered)	160	LFT	10.00	1600.00
31	SIGNAL CABLE, ROADWAY LOOP, 1C / 14 GA. (if ordered)	600	LFT	0.50	300.00

SUB-TOTAL:	$	183,559.65
E&I @16%		29369.54
TOTAL:	$	212,929.19

Revised: 06-13-06

IMPROVEMENT RESOLUTION NO. 7099-06

JEFFERSON BOULEVARD RESURFACING
WORK ORDER NO. 11951

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: JEFFERSON BOULEVARD FROM GARDEN STREET TO BROADWAY BY MILLING AND RESURFACING WITH NEW BINDER AND SURFACE ASPHALT.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 21st day of June, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: JEFFERSON BLVD. RESURFACING RES. NO.: 7099-06

DATE: 6/14/06

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Surface Milling, Bituminous	12200	S.Y.	1.25	15250.00
2.	Bituminous Material for Tack Coat	6	TON	225.00	1350.00
3.	Bituminous Surface, # 11 H. A. C	685	TON	57.00	39045.00
4.	Bituminous Binder # 11 H. A. C.	685	TON	52.00	35620.00
5.	Bituminous Mix for Approaches	160	TON	68.00	10880.00
6.	Casting Adjust To Grade	2	EA	175.00	350.00
7.	Water Valve Adjust	3	EA	100.00	300.00
8.	Thermoplastis White 8 ", Solid Lane Line	140	LF	1.00	140.00
9.	Thermoplastis White 12 ", Solid	175	LF	1.65	288.75
10.	Thermoplastis Yellow 4 ", Solid Lane Line	300	LF	0.55	165.00
11.	Thermoplastis White 4 ", Broken Lane Line	610	LF	0.55	335.50
12.	Thermoplastis White 4 ", Solid Lane Line	800	LF	0.55	440.00
13.	Thermoplastis Stop Bar, 24 "	275	LF	4.25	1168.75
14.	Thermoplastis White (Thur & Right) Arrow	1	EA	150.00	150.00
15.	Thermoplastis White , 6" Crosswalk	1087	LF	1.00	1087.00
16.	Temporary Pavement Marking, Type I 4" White	250	LF	0.65	162.50
17.	Temporary Pavement Marking, 4" White	250	LF	0.40	100.00
18.	Saw Slot & Sealer	80	LF	10.00	800.00
19.	1c / 14 Loop Cable	250	LF	0.50	125.00
20.	CONSTRUCTION SIGNS, TYPE " A "	22	EA	70.00	1540.00
21.	MAINTAINING TRAFFIC	1	LS	5464.88	5464.88
22.	MOBILIZATION AND DEMOBILIZATION	1	LS	4371.90	4371.90

SUB-TOTAL: 119134.28
E&I @16% 19061.48

TOTAL: **$138,195.76**

27

Revised: 02-13-04

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: June 21, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $5,041.03 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

DELL Marketing	PR #9	504.11
Allen Business Machines	PR #9	724.00
ACS	PR #9	3,812.92
	Total for Payment Request	**$ 5,041.03**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

June 21st, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: June 21, 2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $14,904.50 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Fetters Construction	PR #33	12,132.50
General Electric Co.	PR #34	1,322.00
A Hattersley and Sons	PR #34	1,450.00
	Total for Payment Requests	**$ 14,904.50**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

June 21st 2006
Date

RESOLUTION NO. 93-6-28-06-2

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, RATIFYING THE SALE OF THE BONDS BY THE FORT WAYNE MUNICIPAL BUILDING CORP. AND REGARDING CERTAIN RELATED MATTERS

WHEREAS, the Fort Wayne Building Corp. (the "Building Corporation") has previously submitted to the Common Council (the "Common Council") of the City of Fort Wayne, Indiana (the "City"), and the Common Council has previously approved and executed after a public hearing, a lease between the Building Corporation and the City (the "Lease") to provide for the construction and equipping of a public safety academy (the "Project"); and

WHEREAS, the Building Corporation has sold its First Mortgage Bonds, Series 2006 (the "Bonds") in an aggregate principal amount of $20,825,000 to the Indiana Bond Bank at a net interest cost of approximately 4.73%, which interest rate is lower than the interest rate used to calculate the maximum lease rental under the Lease; and

WHEREAS, the Board of Public Works of the City (the "Board") desires to approve of an Addendum to Lease to amend the Lease to reduce the semiannual lease rentals to correspond to the actual debt service on the Bonds as provided for in Section 3 of the Lease; and

for y serve as its agent
June reement dated as of

Exh located described at
"Co t Commission (the
Con of $462,893 and the

at E al Estate described
Real paid to acquire the

WO RD OF PUBLIC
:

Original copy is located in the file: New Regional Public Safety Academy

1. The Board hereby approves and ratifies the sale and issuance of the Bonds in the aggregate principal amount of $20,825,000.

2. The Board hereby approves the Addendum to Lease (the "Addendum") in the form submitted to this meeting and authorizes and directs the Mayor and the Clerk to execute and attest, respectively, the Addendum on behalf of the City, and the Board further authorizes the Mayor and the Clerk to make such changes as are deemed necessary and appropriate on the advice of counsel with such approval to be conclusively evidenced by the signature of the Mayor and the Clerk thereon.

RESOLUTION NO. 93-6-28-06-2

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, RATIFYING THE SALE OF THE BONDS BY THE FORT WAYNE MUNICIPAL BUILDING CORP. AND REGARDING CERTAIN RELATED MATTERS

WHEREAS, the Fort Wayne Building Corp. (the "Building Corporation") has previously submitted to the Common Council (the "Common Council") of the City of Fort Wayne, Indiana (the "City"), and the Common Council has previously approved and executed after a public hearing, a lease between the Building Corporation and the City (the "Lease") to provide for the construction and equipping of a public safety academy (the "Project"); and

WHEREAS, the Building Corporation has sold its First Mortgage Bonds, Series 2006 (the "Bonds") in an aggregate principal amount of $20,825,000 to the Indiana Bond Bank at a net interest cost of approximately 4.73%, which interest rate is lower than the interest rate used to calculate the maximum lease rental under the Lease; and

WHEREAS, the Board of Public Works of the City (the "Board") desires to approve of an Addendum to Lease to amend the Lease to reduce the semiannual lease rentals to correspond to the actual debt service on the Bonds as provided for in Section 3 of the Lease; and

WHEREAS, the Building Corporation desires to have the City serve as its agent for the construction and equipping of the Project pursuant to an Agency Agreement dated as of June 1, 2006, by and between the City and the Building Corporation; and

WHEREAS, the real property upon which the Project is to be located described at Exhibit A hereto (the "Real Estate") was acquired by the Redevelopment Commission (the "Commission") for and on behalf of the City for an aggregate purchase price of $462,893 and the Commission subsequently transferred title to the Property to the City; and

WHEREAS, the Board desires to approve of the sale of the Real Estate described at Exhibit A hereto to the Building Corporation for the same price as was paid to acquire the Real Estate as required by Indiana Code 36-1-10;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. The Board hereby approves and ratifies the sale and issuance of the Bonds in the aggregate principal amount of $20,825,000.

2. The Board hereby approves the Addendum to Lease (the "Addendum") in the form submitted to this meeting and authorizes and directs the Mayor and the Clerk to execute and attest, respectively, the Addendum on behalf of the City, and the Board further authorizes the Mayor and the Clerk to make such changes as are deemed necessary and appropriate on the advice of counsel with such approval to be conclusively evidenced by the signature of the Mayor and the Clerk thereon.

3. The Board hereby approves the form of the Agency Agreement presented to the Board at this meeting and authorizes and directs the Mayor and Clerk of the City to execute and attest, respectively, said agreement in the form presented at this meeting with such changes as may be suggested by counsel and approved by the Mayor and Clerk with such approval evidenced by the execution and attestation, respectively, thereof.

4. The Board hereby finds and determines that it is in the best interest of the City to sell the Real Estate for the sum of $462,893 (the "Purchase Price") to the Building Corporation which is the purchase price paid by the City for the Real Estate in order to complete the Project, and the transfer is hereby approved. The Purchase Price shall be applied by the City to the costs of the Project. The Board authorizes the Mayor and Clerk of the City to execute and attest, respectively, a Warranty Deed conveying the Property to the Building Corporation.

5. This Resolution shall be in full force and effect from and after its passage by the Board.

* * * * *

ADOPTED at a meeting of the Board of Public Works of the City of Fort Wayne, Indiana, held on June 28, 2006, at the City-County Building, One Main Street, Fort Wayne, Indiana.

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

Regina A. Kostoff, Chair

Ryan P. Chasey, Member

John Suarez, Member

ATTEST:

Marilyn Huth, Clerk

EXHIBIT A

LEGAL DESCRIPTION

A part of that 113.64 acre Southtown Development Tract as recorded in Document No. 205018101 in the Office of the Allen County Recorder as amended by a certain Surveyor's Affidavit of Correction as recorded in Document No. 205037333, situated in a part of the Northeast Quarter, Northwest Quarter and Southeast Quarter of Section 36, Township 30 North, Range 12 East, Allen County, Indiana, in particular described as follows to-wit:

To arrive at the point of beginning, commence at the Northwest corner of said Northeast Quarter said Section; thence South 89 degrees 37 minutes 00 seconds East (Basis of bearings assumed from DR 666 page 299 and Reference Survey by Carl A. Hofer May 18,1964 and Mid-States Engineering 1968 and Document No. 205018101) along the North line of said Northeast Quarter, a distance of 413.00 feet; thence South 00 degrees 23 minutes 00 seconds West, a distance of 25.00 feet to the Southwestern boundary of U.S. Routes 27 & 33; thence South 84 degrees 47 minutes 00 seconds East along said Southwestern boundary, a distance of 178.20 feet; thence South 53 degrees 40 minutes 00 seconds East along said Southwestern boundary, a distance of 857.14 feet to the Northwesterly corner of 0.055 acre tract conveyed to the State of Indiana; thence South 08 degrees 44 minutes 49 seconds East (South 10 degrees 01 minutes 04 seconds East deed) along a Westerly line of said 0.055 acres, a distance of 28.32 feet to the Northwesterly comer of INTERIOR T ROAD as described as PARCEL II in Document No. 205016501 in the Office of the Allen County Recorder; thence South 35 degrees 45 minutes 34 seconds West along said road, a distance of 180.15 feet; thence South 36 degrees 19 minutes 52 seconds West along said road, a distance of 68.92 feet; thence South 32 degrees 50 minutes 33 seconds West along said road, a distance of 227.69 feet to a point of curve; thence Southwesterly along said road on a circular curve to the right having a radius of 300.00 feet, an arc distance of 18.28 feet to a point of tangent; thence South 36 degrees 20 minutes 00 Seconds West along said road and tangent, a distance of 857.33 feet to a point of curve; thence Southwesterly along said road on a circular curve to the right having a radius of 270.00 feet, an arc distance of 62.36 feet to a point of tangent; thence South 49 degrees 33 minutes 59 seconds West along said road and tangent, a distance of 39.50 feet to a point of curve; thence Westerly along said road on a circular curve to the right having a radius of 20.00 feet, an arc distance of 32.06 feet to a point of tangent; thence North 38 degrees 35 minutes 40 seconds West along said road and tangent, a distance of 274.88 feet to a point of curve; thence Northwesterly along said road on a circular curve to the left having a radius of 350.00 feet, an arc distance of 29.66 feet to a point of tangent; thence North 43 degrees 26 minutes 59 seconds West along said road and tangent, a distance of 71.80 feet to a point of curve; thence Northwesterly along said road on a circular curve to the left having a radius of 315.00 feet, an arc distance of 173.62 feet to a point of tangent; thence North 75 degrees 01 minutes 46 seconds West along said road and tangent, a distance of 142.73 feet to a point of curve; thence Northwesterly along said road on a circular to the right having a radius of 20.00 feet, an arc distance of 31.42 feet to a point of tangent as situated on an Easterly line of the RING ROAD as contained in PARCEL I in Document No. 205016501 aforesaid; thence South 14 degrees 58 minutes 14 seconds West along said roads, a distance of 100.00 feet to a point of curve and the point of beginning initially referred to; thence Northeasterly along INTERIOR T ROAD aforesaid on a non-tangent circular curve to the right having a radius of 20.00 feet, an arc distance of 31.42 feet to a point of tangent, the chord of which bears North 59 degrees 58 minutes 13

seconds East, a distance of 28.28 feet; thence South 75 degrees 01 minutes 46 seconds East along said road and tangent a distance of 142.73 feet to a point of curve; thence Southeasterly along said road on a circular curve to the right having a radius of 255.00 feet, an arc distance of 140.55 feet to a point of tangent; thence South 43 degrees 26 minutes 59 seconds East along said road and tangent, a distance of 71.80 feet to a point of curve; thence Southeasterly along said road on a circular curve to the right having a radius of 290.00 feet, an arc distance of 24.57 feet to a point of tangent; thence South 38 degrees 35 minutes 40 seconds East along said road and tangent, a distance of 609.03 feet to a point of curve; thence Southerly along said road on a circular curve to the right having a radius of 20.00 feet, an arc distance of 31.29 feet to a point of tangent as situated on a Northerly line of the RING ROAD as contained in PARCEL I description aforesaid; thence South 51 degrees 01 minutes 54 seconds West along said road and tangent, a distance of 409.82 feet to a point of curve; thence Southwesterly along said road on a circular curve to the right having a radius of 300.00 feet, an arc distance of 155.53 feet to a point of tangent; thence South 80 degrees 44 minutes 08 seconds West along said road and tangent, a distance of 104.53 feet to a point of curve; thence Westerly along said road on a circular curve to the left having a radius of 260.00 feet, an arc distance of 15.55 feet to a point of tangent; thence South 77 degrees 18 minutes 29 seconds West along said road and tangent, a distance of 40.71 feet to a point of curve; thence Westerly along said road on a circular curve to the right having a radius of 260.00 feet, an arc distance of 247.71 feet to a point of tangent; thence North 48 degrees 06 minutes 18 seconds West along said road and tangent, a distance of 62.90 feet to a point of curve; thence Northerly along said road on a circular curve to the right having a radius of 175.00 feet, an arc distance of 146.31 feet to a point of tangent; thence North 00 degrees 12 minutes 06 seconds West along said road and tangent, a distance of 359.02 feet to a point of curve; thence Northerly along said road on a circular curve to the right having a radius of 275.00 feet, an arc distance of 94.83 feet to a point of tangent; thence North 19 degrees 33 minutes 24 seconds East along said road and tangent, a distance of 5.43 feet to a point of curve; thence Northeasterly along said road on a circular curve to the right having a radius of 175.00 feet, an arc distance of 57.96 feet to a point of tangent; thence North 38 degrees 31 minutes 56 seconds East along said road and tangent, a distance of 70.64 feet to a point of curve; thence Northeasterly along said road on a circular curve to the right having a radius of 150.00 feet, an arc distance 20.76 feet to a point of tangent; thence North 46 degrees 27 minutes 40 seconds East along said road and tangent, a distance of 61.96 feet to a point of curve; thence Northerly along said road on a circular curve to the left having a radius of 245.00 feet, an arc distance of 134.66 feet to a point of tangent; thence North 14 degrees 58 minutes 14 seconds East along said road and tangent, a distance of 52.56 feet to the point of beginning containing 15.2625 acres, more or less, of land.

5

Addendum to Lease Between
Fort Wayne Building Corp., as Lessor,
and City of Fort Wayne, Indiana, as Lessee
(Southtown Safety Academy Project)

THIS ADDENDUM, made and entered into this _____ day of June, 2006 (the "Addendum"), between the Fort Wayne Building Corp., an Indiana non-profit corporation (the "Building Corporation"), and the City of Fort Wayne, Indiana (the "Lessee"),

WITNESSETH:

WHEREAS, the Building Corporation and Lessee have entered into a lease dated as of February 1, 2006 (the "Lease"), which was recorded in the office of the Recorder of Allen County, Indiana, as Document Number _____; and

WHEREAS, Section 3 of the Lease provides that the reduced annual rental payable by the Lessee shall be endorsed on the Lease and recorded as an addendum to the Lease;

NOW, THEREFORE, IT IS HEREBY AGREED, CERTIFIED, AND STIPULATED by the undersigned that:

1. The first semiannual rental installment for the Project in the amount of One Million Forty-eight Thousand Five Hundred and 00/100 Dollars ($1,048,500.00) shall be due on the day that the Project is complete and ready for use and occupancy or June 1, 2008, whichever is later. If completion is later than June 1, 2008, the first installment shall be in an amount which provides for rental at the rate specified in Exhibit A hereto for the semiannual period in which the Project is completed and ready for use, prorated from the date of completion until the first December 1 or June 1 following such date of completion. Thereafter, such rentals for the Project shall be payable in advance in semiannual installments on December 1 and June 1 of each year as provided for in the lease payment schedule attached hereto as Exhibit A.

2. The definition of "Trustee" contained in Section 1 of the Lease is amended to read as follows:

"Trustee" means LaSalle Bank National Association, the financial institution serving as Trustee pursuant to the Indenture, and any successor trustee.

3. The amendments to the Lease as set forth in this Addendum to Lease shall be effective as of the date of this Addendum to Lease and all remaining terms, covenants, and conditions set forth in the Lease shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have caused this Addendum to be executed for and on their behalf on the day and year first hereinabove written.

FORT WAYNE MUNICIPAL
BUILDING CORP.,
as Lessor

By: _____
President

ATTEST:

_____
Secretary

CITY OF FORT WAYNE, INDIANA,
as Lessee

(SEAL)

By: _____
Graham Richard, Mayor,
City of Fort Wayne, Indiana

ATTEST:

_____
Sandra E. Kennedy, Clerk
City of Fort Wayne, Indiana

(Signature Page to Addendum to Lease)

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said State, personally appeared John Brandt and Rebecca Karcher, personally known by me to be the President and Secretary, respectively, of the Fort Wayne Building Corp. and acknowledged the execution of the foregoing Addendum to Lease for and on behalf of said Building Corporation.

WITNESS my hand and Notarial Seal this _____ day of June, 2006.

_____
(Written Signature)

_____
(Printed Signature)

(SEAL)

My commission expires:

_____

I am a resident of

_____
County, Indiana

(Notary Page to Addendum to Lease)

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said State, personally appeared Graham Richard and Sandra E. Kennedy, personally known by me to be the Mayor and Clerk, respectively, of the City of Fort Wayne, Indiana, and acknowledged the execution of the foregoing Lease for and on behalf of the City of Fort Wayne, Indiana.

WITNESS my hand and Notarial Seal this _____ day of June, 2006.

_____
(Written Signature)

_____
(Printed Signature)

(SEAL)

My commission expires:

_____

I am a resident of

_____
County, Indiana

This instrument was prepared by Randolph R. Rompola, Baker & Daniels LLP, 205 West Jefferson Boulevard, Suite 250, South Bend, Indiana 46601.

(Notary Page to Addendum to Lease)

EXHIBIT A

Date	Semi-Annual Lease Rental
1-Jun-08	$1,048,500.00
1-Dec-08	1,048,500.00
1-Jun-09	1,048,500.00
1-Dec-09	1,048,500.00
1-Jun-10	1,048,500.00
1-Dec-10	1,048,500.00
1-Jun-11	1,044,000.00
1-Dec-11	1,044,000.00
1-Jun-12	1,045,500.00
1-Dec-12	1,045,500.00
1-Jun-13	1,045,500.00
1-Dec-13	1,045,500.00
1-Jun-14	1,044,000.00
1-Dec-14	1,044,000.00
1-Jun-15	1,046,000.00
1-Dec-15	1,046,000.00
1-Jun-16	1,043,500.00
1-Dec-16	1,043,500.00
1-Jun-17	1,044,000.00
1-Dec-17	1,044,000.00
1-Jun-18	1,044,500.00
1-Dec-18	1,044,500.00
1-Jun-19	1,045,000.00
1-Dec-19	1,045,000.00
1-Jun-20	1,045,500.00
1-Dec-20	1,045,500.00
1-Jun-21	1,043,500.00
1-Dec-21	1,043,500.00
1-Jun-22	974,000.00
1-Dec-22	974,000.00
Total	$ 31,221,000.00

AGENCY AGREEMENT

This Agency Agreement ("Agency Agreement"), made and entered into as of the 1st day of June, 2006, by and between the Fort Wayne Municipal Building Corp., a nonprofit corporation organized and existing under Indiana Code 23-17 for the purpose of financing and constructing public improvements (the "Building Corporation"), and the City of Fort Wayne, Indiana, a municipal corporation and political subdivision existing pursuant to the laws of the State of Indiana (the "City"), for purposes of the Building Corporation designating the City to act as its agent for purposes of constructing and equipping a safety academy (the "Project") described in the Lease between the Building Corporation and the City, dated as of February 1, 2006, as amended by an Addendum to Lease, dated as of June 29 2006 (collectively, the "Lease") a copy of which is attached hereto as Exhibit A, and other matters related thereto.

W I T N E S S E T H:

WHEREAS, the Lease provides that the Building Corporation shall lease the Project to the City which Project shall be constructed in accordance with the drawings, plans, specifications and estimates (the "Plans") prepared for the Project, which Plans have been provided to the City; and

WHEREAS, the Building Corporation, at a meeting on June 19, 2006, adopted a resolution approving the execution of an agency agreement with the City for purposes of constructing and equipping the Project; and

WHEREAS, the Board of Public Works of the City, at a meeting on June 28, 2006, adopted a resolution approving of the City serving as agent of the Building Corporation for purposes of completing the Project and authorizing the execution of an agency agreement with the Building Corporation; and

WHEREAS, the Building Corporation and the City desire to enter into this Agency Agreement to permit the construction of the Project pursuant to the terms hereof; and

WHEREAS, the City desires to act as the agent of the Building Corporation for the purposes of constructing the Project in accordance with the Plans:

NOW, THEREFORE, in consideration of the mutual covenants and promises herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. The Building Corporation hereby empowers and appoints the City to act as its agent for the limited purpose of contracting for the construction, purchase and installation of the Project in accordance with the Plans as filed with the City, which Plans may be supplemented and amended from time to time as provided for herein. The City will select the type, quantity, suppliers, construction contractors and subcontractors, materialmen and installers of the improvements and appurtenances on behalf of the Building Corporation.

2. This limited agency shall immediately terminate upon commencement of the Lease with respect to the Project or upon breach by the Building Corporation or the City of this Agency Agreement or any other agreement between the Building Corporation and the City after written notice of termination is given by the Building Corporation or the City at least seven (7) days in advance of the date of termination of agency. The authority and appointment herein contained are limited to a total construction cost for the Project, as established by the receipt and award of construction contracts by the City for the Project.

3. The City hereby accepts the appointment of agency by the Building Corporation as described in Paragraph 1 of this Agency Agreement, and acknowledges the terms and conditions of the Lease.

4. The City shall construct the Project pursuant to IC 36-1-12, and shall execute all contracts for the Project pursuant to said chapter on behalf of the Building Corporation.

5. The City, in the bidding of the contracts pursuant to said chapter, has or shall adopt specifications pertaining to the work to be performed, the timetable for the performance of the work, require performance, payment, and maintenance bonds, and such other matters as may be required by statute for public construction, provided such conditions, specifications, and matters are in accordance with the Plans and all supplements and amendments thereto. The City may make such modifications and amendments to the Plans as required for construction of the Project consistent with the overall design set forth in the Plan and may adopt such special conditions as may be required in its opinion to satisfactorily complete the construction of the Project, provided that such modifications, amendments or special conditions do not (i) alter the character of the Project or reduce the value thereof or (ii) exceed the contingency amount identified by the Architect on deposit with the Trustee named in the Trust Agreement between such Trustee and the Building Corporation (the "Trustee").

6. The Building Corporation hereby empowers the City to assume full responsibility for obtaining all necessary licenses, inspections, zoning approvals, building permits and any and all acts necessary to comply with any applicable statutory and regulatory requirements regarding the construction, zoning and leasing of the Project.

7. The sole responsibility for construction and purchase of items constituting the Project shall be that of the City, which has the sole responsibility of dealing with contractors and subcontractors in the construction of the Project. The City shall ensure that all components of the Project are properly invoiced to and titled in the Building Corporation prior to the commencement of the Lease.

8. The City shall have sole responsibility to inspect, on behalf of the Building Corporation, the construction of improvements and the appurtenances and their

installation although the Building Corporation reserves the right, at any time, to conduct such independent inspection as it deems appropriate. If the improvements or appurtenances are not properly constructed or installed in accordance with specifications, do not operate or hold up as represented or warranted by any supplier or contractor, or are unsatisfactory for any reason, the City, during the term of this Agency Agreement, shall make any claim on account thereof solely against said supplier or contractor.

9. The Building Corporation hereby assigns to the City, during the term of this Agency Agreement, all its rights and benefits pursuant to any warranties, duties, or obligations of any manufacturer, wholesaler, retailer, installer, contractor, or subcontractor who provides any labor or materials for or in the Project.

10. The City, on behalf of the Building Corporation, shall be responsible for processing all contractor claims for payment with respect to the Project, consistent with the following procedure. The City shall:

(a) obtain a completed Application and Certificate for a Payment (AIA G702) executed by the Architect; and

(b) certify, in a Certificate for Payment signed by its authorized officers, that the work represented by the request for payment has been satisfactorily completed and there are no facts or conditions existing that would require the delay in payment to the contractor; and

(c) submit, on behalf of the Building Corporation, the completed Application and Certificate for a Payment and the Certificate for Payment of the City to the Trustee pursuant to the terms of the Trust Indenture.

11. The City shall accept the completed Project on behalf of the Building Corporation, which acceptance shall be evidenced by:

(a) the execution of a Certificate of Completion by the Architect; and

(b) the execution of a Certificate of Acceptance by the City, accepting the Project as completed on behalf of the Building Corporation.

12. The terms and conditions of this Agency Agreement shall inure to the benefit of and bind the respective parties hereto and their successors in interest and assigns, and no portion of this Agency Agreement may be assigned by any party without the prior written consent of any other party.

13. The agency provisions herein contained apply only as stated and shall not be deemed to create any partnership, joint venture or other enterprise of any type or nature between the Building Corporation and the City.

14. No amendment, modification or alteration of the terms of this Agency Agreement shall be binding unless duly executed by the parties hereto in writing, dated subsequent to the date hereof.

15. This Agency Agreement may be executed in one or more counterparts, each of which when taken together shall constitute one and the same agreement.

* * * * *

IN WITNESS WHEREOF, the undersigned hereby execute this Agency Agreement to be effective as of the day and year first written above.

FORT WAYNE MUNICIPAL BUILDING CORP.

By: _____
John Brandt, President

ATTEST:

_____
Rebecca Karcher, Secretary

CITY OF FORT WAYNE, INDIANA

By: _____
Graham Richard, Mayor

ATTEST:

_____
Sandra E. Kennedy, City Clerk

(Signature page to Agency Agreement)

LILLIAN AND TRINITY –
WATER MAIN REPLACEMENT
RESOLUTION NO. 1532-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 3,050 LF of 6-inch water main, 7 fire hydrants, 6 valves, 85 services, and all other appurtenances and work as necessary for the water main replacement project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "LILLIAN AND TRINITY – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $340,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 28th DAY OF June, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

STREET LIGHT RESOLUTION

NUMBER 305-06

ABOITE ANNEXATION INTERSECTION LIGHTING

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install street lights at intersections Stellhorn Road & Maysville Road; Dupont Road & Auburn Road; Covington Road & Hadley Road; Liberty Mills Road & Falls Drive; Aboite Center Road & Homestead Road; Liberty Mills Road & Homestead Road; and Liberty Mills Road & Amber Road, in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded 2006 CEDIT Annexation Funds. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Ryan P. Chasey – Member

ATTEST:

Marilyn Huth – Clerk

Dated this 28th day of June, 2006

IMPROVEMENT RESOLUTION NO. 7102-06

PRODUCTION ROAD
WORK ORDER NO. 11940

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: PRODUCTION ROAD FROM EXECUTIVE BLVD TO NEWAYGO ROAD BY PARTIAL RECONSTRUCTION OF CONCRETE PAVEMENT AND 4' WIDE STONE BERM ON BOTH SIDES OF ROADWAY.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 28th day of June, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: PRODUCTION ROAD - CONCRETE STREET REPAI **RES. NO.: 7102-06**
DATE: 6-8-2006 **W.O. NO.: 11940**
BID DATE: 7-19-2006

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL OF CONCRETE PAVEMENT	1,975	SY	$7.50	$14,812.50
2.	REMOVAL OF CONCRETE (IF REQUIRED)	28	SY	$6.00	$168.00
3.	COMMON EXCAVATION	255	CY	$20.00	$5,100.00
4.	ASPHALT MILLING (OVER BRIDGE DECK)	246	SY	$2.50	$615.00
5.	CEMENT CONCRETE PAVEMENT, PLAIN, 9 INCHES (7-BAG MIX W / SUPERPLASTICIZER)	1,975	SY	$36.50	$72,087.50
6.	CONCRETE PAVEMENT FOR COMMERCIAL DRIVE (IF REQUIRED)	28	SY	$32.00	$896.00
7.	BITUMINOUS PATCHING (#110 SURFACE NO. 11 OVER #880 BASE NO. 9D)	92	TON	$58.00	$5,336.00
8.	BITUMINOUS SURFACE MATERIAL NO. 11 (OVER BRIDGE DECK)	20	TON	$60.00	$1,200.00
9.	TYPE "O" COMPACTED AGGREGATE FOR BASE (NO. 53 STONE)	325	TON	$14.00	$4,550.00
10.	TYPE "O" COMPACTED AGGREGATE SHOULDER BERM (NO. 73 STONE) (5' WIDTH / #660)	530	TON	$18.00	$9,540.00
11.	TOP SOIL	150	TON	$14.00	$2,100.00
12.	MULCHED SEEDING RESTORATION	910	SY	$1.00	$910.00
13.	BARRICADE, TYPE III	6	EA	$45.00	$450.00
14.	PLASTIC DRUMS W/FLASHERS	64	EA	$45.00	$960.00
15.	CONSTRUCTION SIGNS, TYPE "A"	6	EA	$45.00	$225.00
16.	MAINTENANCE OF TRAFFIC	1	LS	$6,500.00	$6,500.00
17.	MOBILIZATION AND DEMOBILIZATION	1	LS	$4,000.00	$4,000.00

SUB-TOTAL:	$129,450.00
E&I @16%	$20,712.00
TOTAL:	**$150,162.00**

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: June 20, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2002**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 5,064.00** to be paid from 2002 State Revolving Funds. This expense is for the WPCP Headworks project – W.O. 74595.

Draw #146	CH2M Hill	$ 5,064.00
Total SRF Payments		**$ 5,064.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

June 28th, 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: June 20, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 177,210.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Dechlorination Project – W.O. 75003 and the WPCP Primary Clarifiers Project – W.O. 74742.

Draw #43 & # 44	Donohue & Associates	$ 61,180.00
Draw #45	CH2M Hill	116,030.00
	Total SRF Payments	**$ 177,210.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

June 28th, 2006
Date

EMERGENCY RESOLUTION NUMBER 93-7-5-06-1
Rothman Road Pump Station

WHEREAS, the existing 15" sanitary sewer line is off grade and;

WHEREAS, said grade problem has just been discovered and requires immediate action to prevent sanitary sewer overflows, and;

WHEREAS, repair of the pipe is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Bercot, T & E, Liberty and Scheidelman Constuction companies, will be invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 5th day of July ,2006.

BOARD OF PUBLIC WORKS

By Regina A. Kostoff
Regina Kostoff, Chair

By Ryan P. Chasey
Ryan P. Chasey, Member

By John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
~~Marylin~~ Huth, Clerk
MARILYN

Rothman Road Pump Station Sewer
SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

The repair shall consist of lowering approximately 11 lf of 15" PVC sewer 18". The pipe is located between 2 precast concrete manholes approximately 13' deep. One manhole has a precast base and the other appears to have a poured in place base. A new connection hole will have to be cut in each manhole and both manholes will have to be rechanneled. The pipe is located in a dirt area behind the pump station. This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to excavate and remove materials from the jobsite, any required bypass pumping and/or trench dewatering, trench shoring or sheeting, sewer tap pipe replacement, proper backfilling and proper compaction, and all surface restoration necessary to restore the disturbed area to the existing condition or better. Care must be taken to avoid any damage to private property. This repair shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone or to support any power poles or utilities during the work. Care should be taken to maintain sewage flow to the pump station during the repairs.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne WPC Engineering Department specifications and standard drawings Development Criteria and Standards Manual.
2. Obtain and be responsible for all barricade, traffic control, street closing and right-of-way cut permits.
3. Payment Bond
4. Performance and Guaranty Bond
5. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
6. Contractor shall be required and responsible for placing and maintaining temporary barricades.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall take all precautions to prevent damages to the existing sanitary sewer and construction site, from storm water, from sanitary sewage entering the construction site from the existing sanitary sewer and from ground water. If damage does occur from one of the

above sources, the Contractor shall make such repairs or replacement or re-build such parts of the existing sewer as determined by the engineer.

9. Contractor is to submit Monthly Payrolls and Manpower reports to the City Compliance Office Room 420.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition. Care must be taken to avoid damage to nearby existing trees.

Proposal for
Rothman Road Pump Station Sewer
Emergency Repairs

Base Bid: All cost to complete all work to Lower 11LF of 15" sanitary sewer including manhole modifications and area restoration.

LUMP SUM **$**_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____ day of _____, 2006.

FROM _____
Contractor

BY _____

EMERGENCY RESOLUTION NUMBER 93-7-5-06-1
Rothman Road Pump Station

WHEREAS, the existing 15" sanitary sewer line is off grade and;

WHEREAS, said grade problem has just been discovered and requires immediate action to prevent sanitary sewer overflows, and;

WHEREAS, repair of the pipe is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Bercot, T & E, Liberty and Scheidelman Constuction companies, will be invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 5th day of July ,2006.

BOARD OF PUBLIC WORKS

By _____
Regina Kostoff, Chair

By _____
Ryan P. Chasey, Member

By _____
John Suarez, Member

ATTEST: _____
~~Marylin~~ Huth, Clerk
MARILYN

Rothman Road Pump Station Sewer
SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

The repair shall consist of lowering approximately 11 lf of 15" PVC sewer 18". The pipe is located between 2 precast concrete manholes approximately 13' deep. One manhole has a precast base and the other appears to have a poured in place base. A new connection hole will have to be cut in each manhole and both manholes will have to be rechanneled. The pipe is located in a dirt area behind the pump station. This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to excavate and remove materials from the jobsite, any required bypass pumping and/or trench dewatering, trench shoring or sheeting, sewer tap pipe replacement, proper backfilling and proper compaction, and all surface restoration necessary to restore the disturbed area to the existing condition or better. Care must be taken to avoid any damage to private property. This repair shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone or to support any power poles or utilities during the work. Care should be taken to maintain sewage flow to the pump station during the repairs.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne WPC Engineering Department specifications and standard drawings Development Criteria and Standards Manual.
2. Obtain and be responsible for all barricade, traffic control, street closing and right-of-way cut permits.
3. Payment Bond
4. Performance and Guaranty Bond
5. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
6. Contractor shall be required and responsible for placing and maintaining temporary barricades.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall take all precautions to prevent damages to the existing sanitary sewer and construction site, from storm water, from sanitary sewage entering the construction site from the existing sanitary sewer and from ground water. If damage does occur from one of the

above sources, the Contractor shall make such repairs or replacement or re-build such parts of the existing sewer as determined by the engineer.

9. Contractor is to submit Monthly Payrolls and Manpower reports to the City Compliance Office Room 420.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition. Care must be taken to avoid damage to nearby existing trees.

Proposal for
Rothman Road Pump Station Sewer
Emergency Repairs

Base Bid: All cost to complete all work to Lower 11LF of 15" sanitary sewer including manhole modifications and area restoration.

LUMP SUM **$**_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____ day of _____, 2006.

FROM _____
Contractor

BY _____

EMERGENCY RESOLUTION NO.: 93-7-12-06-1

EMERGENCY CONCRETE REPAIR A - 2006

WHEREAS, an emergency exists for Concrete Pavement Repair at:

4230 AND 4226 WEDGEWOOD

WHEREAS, Transportation Engineering Services received invitational bids from the following contractors:

HIPSKIND CONCRETE	$10,404.00
KEY CONCRETE	$7,996.00
GARCIA CONCRETE	$6,380.00
NEWELL CONSTRUCTION	$8,554.00
BROOKS CONSTRUCTION	———

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists to repair said pavement locations and requests the Purchasing Department to issue a Purchase Order to Garcia Concrete in the account of $ 6,380.00.

Adopted, this 12th day of July, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez

John Suarez, Member

Ryan P. Chasey

Ryan P. Chasey, Member

Marilyn Huth

Attest: Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Emergency Concrete Repair A - 2006

Between 4230 and 4226 Wedgewood

EMERGENCY RES. NO : 93-7-12-06-1

W.O. NO.: 11957

DATE:7/10/06

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVE & REPLACE 6" CONCRETE PAVEMENT 7 BAG MIX WITH PLASTICIZER OR 2% CALCIUM	75	S.Y.	48.00	3600.00
2.	COMPACTED AGGREGATE FOR BASE -"O"--#53	10	TON	20.00	200.00
3.	J- BOLTS	16	EA	12.00	192.00
4.	FURNISH AND ADJUST CASTING TYPE "C"	2	EA	475.00	950.00
5.	TOP SOIL	2	TON	15.00	30.00
6.	MULCHED SEEDING	18	SY	2.00	36.00
7.	CONSTRUCTION SIGNS, TYPE A	2	EA	80.00	160.00
8.	TYPE III BARRICADE / WITH LIGHTS	2	EA	125.00	250.00
9.	MOBILIZATION AND DEMOBILIZATION	1	LS	350.00	350.00
10.	MAINTENANCE OF TRAFFIC	1	LS	200.00	200.00

SUB-TOTAL:	5968.00
E&I @16%	954.88
TOTAL:	**$6,922.88**

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

TRANSPORTATION ENGINEERING SERVICES
PROJECT MANAGEMENT SECTION – ROOM 710
PHONE: (219) 427-1172
FAX: (219) 427-1356

10TH JULY 2006

SUBJECT: EMERGENCY CONCRETE REPAIR A - 2006
BETWEEN 4230 AND 4229 WEDGEWOOD DRIVE

TO: GARCIA CONCRETE
HIPSKIND CONCRETE
KEY CONCRETE, INC
NEWELL CONSTRUCTION
BROOKS CONSTRUCTION

FROM: MARK WILSON
TRANSPORTATION ENGINEERING SERVICES

ATTACHED IS A BID SHEET FOR THE EMERGENCY PROJECT LISTED ABOVE. PLEASE FAX YOUR BID SHEET TO THE PUBLIC WORKS DEPARTMENT AT 427-5553 BY 8:30 A.M. WEDNESDAY, JULY 12, 2006. THE CONTRACT WILL BE AWARDED BY EMERGENCY PURCHASE ORDER AND PROJECT MUST BE COMPLETED BY 5:00 P.M. MONDAY, JULY 31, 2006. PLEASE DIRECT ALL QUESTIONS AND CONCERNS TO: MARK WILSON @ 427-2775.

ENCL:

CC: BOARD OF WORKS
COMPLIANCE OFFICE
DAVE ROSS

CB/

25

IMPROVEMENT RESOLUTION NO. 7103-06

OLD MILL AND RUDISILL BLVD.
WORK ORDER NO. 11942

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: THE INTERSECTION OF OLD MILL, RUDISILL, AND BROADYWAY BY ASPHALT PAVING, CONCRETE PAVING, SIDEWALKS, CURBS, DRAINAGE, AND MULCH SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 12th day of July, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Old Mill Rd. and Rudisill Blvd **RES. NO.: 7103 - 06**

BID DATE: August 2 , 2006

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL of CURB	1,210	LF	$5.50	$6,655.00
2.	REMOVAL of CENTER CURB	60	SY	$15.00	$900.00
3.	REMOVAL of CONCRETE	263	SY	$9.00	$2,367.00
4.	REMOVAL of PAVEMENT	30	SY	$9.50	$285.00
5.	REMOVAL of STRUCTURE (CATCH BASIN)	1	EA	$550.00	$550.00
6.	REMOVAL of STRUCTURE (INLET)	1	EA	$200.00	$200.00
7.	BITUMINOUS MILLING (0 " to 3 ")	3,577	SY	$1.20	$4,292.40
8.	CONCRETE SIDEWALK (4")	263	SY	$25.00	$6,575.00
9.	CONCRETE CURB TYPE III	814	LF	$12.50	$10,175.00
10.	CONCRETE CURB TYPE II - B	200	LF	$15.00	$3,000.00
11.	CONCRETE CENTER CURB TYPE " D" 6"	60	SY	$25.00	$1,500.00
12.	CEMENT CONCRETE PAVEMENT for DRIVEWAY (6 ")	27	SY	$30.00	$810.00
13.	CEMENT CONCRETE PAVEMENT (6 ") with two pounds of Fibers	2,150	sy	$34.00	$73,100.00
14.	CONCRETE WINGWALK and RAMPS	75	SY	$40.00	$3,000.00
15.	BITUMINOUS SURFACE # 11	92	TON	$65.00	$5,980.00
16.	BITUMINOUS MIXTURE for WEDGE & LEVEL	142	TON	$75.00	$10,650.00
17	BITUMINOUS MIXTURE for APPROACHES	12	TON	$65.00	$780.00
18	MITUMINOUS MIXTURE for PATCHING	10	TON	$100.00	$1,000.00
19	MITUMINOUS MATERIAL for TACK COAT	1	TON	$165.00	$165.00
20	TOP SOIL	110	TON	$15.00	$1,650.00
21	FERTILIZE TREES	8	EA	$45.00	$360.00
22	MULCHED SEEDING	660	SY	$1.15	$759.00
23	BACKFILL BEHIND CURBS	75	TON	$8.00	$600.00
24	BED COURSE MATERIAL	78	TON	$11.00	$858.00
25	TYPE "O " COMPACTED AGGREGATE for BASE	10	TON	$18.00	$180.00

ESTIMATE OF QUANTITIES

PROJECT: Old Mill Rd. and Rudisill Blvd **RES. NO.: 7103 - 06**

BID DATE: August 2 , 2006

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
	(53 or 73 STONE)				
26	WATER VALVES (curb box) ADJUSTED to GRADE	6	EA	$35.00	$210.00
27	WATER VALVES ADJUSTED to GRADE	2	EA	$75.00	$150.00
28	CASTING ADJUSTED to GRADE	6	EA	$135.00	$810.00
29	CASTING TYPE " C " FURNISHED and ADJUSTED to GRADE	2	EA	$350.00	$700.00
30	CATCH BASIN TYPE 1 - E with pvc trap	1	EA	$2,500.00	$2,500.00
31	INLET TYPE IV - E	2	EA	$900.00	$1,800.00
32	PIPE 12 " PVC SDR 40	60	LF	$15.00	$900.00
33	PIPE 15 " PVC SDR. 40	20	LF	$20.00	$400.00
34	B - BORROW for STRUCTURE BACKFILL (53 or 73 STONE)	74	TON	$18.00	$1,332.00
35	THERMOPLASTIC YELLOW SOLID (4 ")	460	LF	$0.55	$253.00
36	THERMOPLASTIC YELLOW BROKEN (4 ")	20	LF	$0.60	$12.00
37	THERMOPLASTIC WHITE SOLID (4")	120	LF	$0.55	$66.00
38	THERMOPLASTIC WHITE BROKEN (4")	60	LF	$0.60	$36.00
39	TRANSVERSE MARKING EPOXY PAINT WHITE STOP BAR 24"	72	LF	$3.75	$270.00
40	TRANSVERSE MARKING EPOXY PAINT CROSSWALK LINE (6 ")	220	LF	$3.00	$660.00
41	EPOXY PAINT WHITE BROKEN (4 ')	105	LF	$3.00	$315.00
42	EPOXY PAINT WHITE SOLID (4')	220	LF	$3.00	$660.00
43	EPOXY PAINT YELLOW BROKEN (4 ")	80	LF	$3.00	$240.00
44	EPOXY PAINT YELLOW SOLID (4 ")	100	LF	$3.00	$300.00
45	TEMPORARY PAVEMENT MARKING YELLOW 4" with secnd application	300	LF	$1.10	$330.00
46	FLASHING ARROW SIGN	45	DAY	$85.00	$3,825.00
47	STANDARD BARRICADE , TYPE III	10	EA	$85.00	$850.00
48	STANDARD BARRICADE, TYPE III with SIGN	4	EA	$100.00	$400.00
49	CONSTRUCTION SIGN TYPE " A "	22	EA	$75.00	$1,650.00

ESTIMATE OF QUANTITIES

PROJECT: Old Mill Rd. and Rudisill Blvd **RES. NO.: 7103 - 06**

BID DATE: August 2 , 2006

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
50	CONSTRUCTION SIGN TYPE " D "	7	EA	$100.00	$700.00
51	CONSTRUCTION SIGN TYPE " B "	10	EA	$25.00	$250.00
52	V - LOC SOCKET (INSTALLED)	1	EA	$60.00	$60.00
53	CONSTRUCTION ENGINEERING	1	LS	$2,500.00	$2,500.00
54	MAINTENANCE of TRAFFIC	1	LS	$6,342.82	$6,342.82
55	MOBILIZATION and DEMOBILIZATION	1	LS	$8,245.66	$8,245.66

SUB-TOTAL:	$173,158.88
E&I @16%	27,705.42
TOTAL:	**$200,864.30**

IMPROVEMENT RESOLUTION NO. 7104-06

MISCELLANEOUS CONCRETE REPAIRS AND CURB RAMPS
WORK ORDER NO. 11949

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:
5025 & 5005 TACOMA AVENUE, THE NW CORNER OF TACOMA AVENUE AND WOODHURST AVENUE, AND 5311 OLD MILL ROAD BY RECONSTRUCTING CONCRETE PAVEMENT AS NEEDED.

1424 - 1520 PETTIT AVENUE (SOUTH SIDE ONLY) BY RECONSTRUCTING CURBS.

ALLEY APPROACH AT 1115 CAPITOL AVENUE, THE INTERSECTION OF MONOGENE DRIVE AND CLOVER BROOK DRIVE, AND THE SOUTHWEST CORNER OF BERRY STREET AND HARRISON STREET WITH NEW CURB RAMPS.

2605, 2706, & 2750 CALHOUN STREET BY ELIMINATING THE EXISTING TREE GRATES AND REPLACING WITH CONCRETE SIDEWALK.

3202 CALHOUN STREET BY REMOVING AND RESETTING EXISTING TREE GRATE AND REPLACING EXISTING SIDEWALK AS NEEDED.

2301 CALHOUN STREET BY REMOVING AND RESETTING TREE GRATES, REPLACING SIDEWALK AS NEEDED, AND INSTALLING UNDERDRAIN BETWEEN TREE GRATES.

THE NORTH/SOUTH ALLEY BETWEEN STATE BOULEVARD, LYNN AVENUE, FLORIDA DRIVE, AND CALIFORNIA AVENUE BY RECONSTRUCTION OF EXISTING CONCRETE PAVEMENT AND APPROACH AS NEEDED.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 19th day of July, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Miscellaneous Concrete Repairs and Curb Ramps RES. NO.:7104-06

DATE: 7/14/2006 W.O. NO.:11949

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Pavement	945	SY	7.50	7087.50
2.	Removal of Concrete	400	SY	6.00	2400.00
3.	Removal of Curb	225	LF	5.00	1125.00
4.	Concrete Curb Type II-A	140	LF	10.00	1400.00
5.	Concrete Curb Type III	35	LF	15.00	525.00
6.	Concrete Curb Type I-B	40	LF	15.00	600.00
7.	Concrete Sidewalk (4")	115	SY	25.00	2875.00
8.	Concrete Curbface Sidewalk	80	SY	30.00	2400.00
9.	Concrete Wingwalk & Ramps (6")	90	SY	40.00	3600.00
10.	Structural Concrete Curbface Sidewalk	115	SY	60.00	6900.00
11.	Concrete Pavement for Commercial Drive (8")	32	SY	32.00	1024.00
12.	Cement Concrete Pavement, Plain for Alley (7")	310	SY	30.00	9300.00
13.	Cement Concrete Pavement , Plain (6")	605	SY	28.00	16940.00
14.	Asphalt / Concrete Pavement Patching	25	SY	25.00	625.00
15.	Type "O" Compacted Aggregate for Base, No.53 for new Concrete Pavement	170	TON	15.00	2550.00
16.	Bed Course Material	45	TN	10.00	450.00
17.	Backfill Behind Curb and Beside Alley (Borrow)	45	TN	10.00	450.00
18.	Top Soil	35	TN	15.00	525.00
19.	Mulched Seeding	190	SY	1.00	190.00
20.	Remove and Reset Existing 5X5 Tree Grate	5	EA	200.00	1000.00
21.	Abandon Existing 5X5 Tree Grate	4	EA	250.00	1000.00
22.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	210	LF	10.00	2100.00
23.	Casting, Type C, Furnished & Adjusted to Grade	5	EA	375.00	1875.00
24.	Casting, Type A, Furnished & Adjusted to Grade	1	EA	375.00	375.00
25.	Casting, Type F, Furnished & Adjusted to Grade	1	EA	375.00	375.00
26.	Water Valves (Curb-Box) Adjusted to Grade	6	EA	25.00	150.00
27.	Water Valves (Valve-Box) Adjusted to Grade to Grade	2	EA	45.00	90.00
28.	Construction Signs, Type A With Construction Warning Light Type A	20	EA	60.00	1200.00
29.	Standard Barricade, Type III - B	9	EA	80.00	720.00
30.	Standard Barricade, Type III - B With Signs and Lights	6	EA	100.00	600.00
31.	Mobilization / Demobilization	1	LS	5000.00	5000.00
32.	Maintance of Traffic	1	LS	5000.00	5000.00

SUB-TOTAL: 80451.50
E&I @16% 12872.24

TOTAL: $93,323.74

Revised: 02-13-04

25

A RESOLUTION approving the sale of
real estate owned by the City of
Fort Wayne.

Resolution # 93-7-19-06-1

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of property located at 2124 Winch St. more particularly described as:

LOT 21 & E 20FT LOT 22 WHITES 2ND ADD

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to sell the above-named property, following all applicable state statutes.

Signed this 19th day of July, 2006.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

24

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2003 / Contours:1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

02-13-07-129-028.000-074 FORT WAYNE CITY OF 2124 WINCH ST 640

Tax ID 91-4268-5021 Printed 06/09/2006 Card No. 1 of 1

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
02-13-07-129-028.000-074

Parent Parcel Number

Property Address
2124 WINCH ST

Neighborhood
0

Property Class
640 Exempt: Municipality

TAXING DISTRICT INFORMATION

Jurisdiction	02	Allen
Area	091	Wayne 91
Corporation	100	
District	074	
Section & Plat	0073012	
Routing Number	6-(NE)-7-89-112	

Site Description

Topography:
Level

Public Utilities:
All

Street or Road:
Paved, Sidewalk, Alley

Neighborhood:
Declining

Zoning:

Legal Acres:
0.0000

OWNERSHIP

FORT WAYNE CITY OF
1 E MAIN ST
FORT WAYNE, IN 46802-1804

LOT 21 & E 20FT LOT 22 WHITES 2ND ADD
LOT 21 & E 20FT LOT 22
WHITES 2ND ADD

TRANSFER OF OWNERSHIP

Date

DAN BRENNER
3rd Floor

EXEMPT

VALUATION RECORD

Assessment Year		1991	03/01/1995	03/01/2001	03/01/2002
Reason for Change		Misc	4Y Reval	100pct AV	4Y Reval
VALUATION	L	0	0	0	0
Appraised Value	B	0	0	0	0
	T	0	0	0	0
VALUATION	L	0	0	0	0
True Tax Value	B	0	0	0	0
	T	0	0	0	0

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value

ChID: Previous parcel_id: 91-4268-5021
GOVT: Exempt Government

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX V

Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)

Supplemental Cards
TOTAL LAND VALUE

Robert Underwood

Father owns property next door.

Interested in purchasing

490-5772. - Business (Sam Company)
Leave message.

BID FORM FOR SALE OF
(2600 PERTH STREET)

COPY

To: Fort Wayne Board of Public Works
One East Main Street
Room 420 City-County Building
Fort Wayne, Indiana 46802

The undersigned hereby offers to purchase for the sum of $ 200.00 in accordance with the Paragraphs below, the real estate (vacant lot) located in the 2600 block of Perth Street, the legal description of which is Lot 39 Abbotts Addition to E Wayne, Wayne Township, Allen County, Indiana.

1) PURCHASE PRICE
The entire purchase price shall be paid in cash, cashiers check or money order.

2) In submitting his/her bid, bidder represents that this bid is genuine and not made in interest of or on behalf of any undisclosed person, firm, or corporation, and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation: bidder has not directly or indirectly induced or solicited any other bidder to submit a false or sham bid: bidder has not solicited or induced any person, firm, or corporation to refrain from bidding: and bidder has not sought collusion to obtain for himself/herself any advantage over any other bidder or over owner.

3) The Real Estate, its improvements, fixtures and utility systems, and any personal property included in this sale are being sold in "AS IS" condition, without warranty of any kind from Seller, either express or implied.

IN WITNESS WHEREOF, the undersigned has subscribed his/her name this 22 day of July, 2006.

Wayne Grosjean
Signature

Wayne Grosjean
Printed Name

Organization

Title

43

NOTICE OF SALE OF
REAL ESTATE BY THE
BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE

Notice is hereby given that the Board of Public Works of the City of Fort Wayne will receive sealed bids for the sale of real estate. The Board of Public Works is declaring the property located at the 2600 Block of Perth St., Fort Wayne, Indiana to be surplus and is soliciting bids to sell said property. Legal description is a follows: Lot 39 Abbotts Addition to E. Wayne, Wayne Township, Allen County, Indiana. The key number is 93-2001-5039.

Bids may be mailed or hand delivered to the attention of:

BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE
ONE EAST MAIN STREET – ROOM 425
FORT WAYNE, INDIANA 46802

Bids must be enclosed in a sealed envelope bearing the title of the property along with the name and address of the bidder. No bid lower than Two Hundred Dollars ($200.00).

All bids shall be on the form prescribed by the Board of Public Works. A bid submitted by a trust as defined in IC 30-4-1-1(a) must identify each beneficiary of the trust and the settlor empowered to revoke or modify the trust. The property may not be sold to a person who is ineligible under Section 16 of Chapter 11, Disposal of Property, Indiana Code 36-1.

The sale of the real estate commences on July 14, 2006 and ends August 2, 2006. Bids must be delivered no later than 9:00 a.m. local time on August 2, 2006 to the Office of the Board of Public Works. Bids received after 9:00 a.m. will be returned unopened.

From the time of receipt until the due date and time, bids will be open to public inspection and bidders may raise their bids by submitting a revised bid form. A revised bid will become effective once the Board has given written notice of the revised bid to all other bidders.

No bid will be accepted from, or awarded to, any person, firm, or corporation that is in arrears to the City of Fort Wayne; who has failed to execute, in whole or in part in a satisfactory manner, any contract with the City of Fort Wayne; or who is a defaulter as to surety or otherwise upon any obligation to the City of Fort Wayne.

The Board of Public Works reserves the right to reject any and all bids and to waive any defect in any bid.

BOARD OF PUBLIC WORKS
Regina A. Kostoff, Chair
John Suarez, Member
Ryan P. Chasey, Member

Attest: Marilyn Huth, Clerk

Advertise July 14, 2006, and July 21, 2006, in the Journal Gazette and News Sentinel, and Ink July 19, 2006.

A RESOLUTION ADOPTING
AN AGREEMENT BY AND BETWEEN FORT WAYNE CITY UTILITIES AND SOUTHWEST DEVELOPMENT AT UNION CHAPEL, LLC AND WATERSONG OFFICE PARK, LLC
FOR THE PAYMENT OF AREA CONNECTION FEES FOR THE VARIOUS WATERSONG DEVELOPMENT PHASES

(AMENDING RESOLUTION 92-4-27-05-1)

Resolution: #93-7-26-06-1

WHEREAS, City Utilities and Southwest Development at Union Chapel, LLC (SWD) and Watersong Office Park, LLC (WOP) have a disagreement regarding area connection fees due for Watersong Section III Phase II; and

WHEREAS, it is the desire and intent of City Utilities to ultimately collect the total area connection fees due as identified in Exhibit A for Watersong Section III Phase II; and

WHEREAS, in an effort to settle the disagreement regarding area connection fees for Watersong Section III Phase II, City Utilities has worked with SWD & WOP to establish a payment arrangement that will allow for the collection of the total fees due; and

WHEREAS, the real estate subject to this agreement includes lots 70-77, 79-83 and 85-93 in the recorded plat of Watersong Section III, as recorded in Allen County Plat Record D-193 and lots in the proposed Watersong Section Two and certain building sites in Watersong Office Park and the proposed Watersong Professional Village.

THEREFORE, the Board of Public Works hereby agrees to approve and accept the terms and conditions described in the AGREEMENT BY AND BETWEEN FORT WAYNE CITY UTILITIES AND SOUTHWEST DEVELOPMENT AT UNION CHAPEL, LLC AND WATERSONG OFFICE PARK, LLC FOR THE PAYMENT OF AREA CONNECTION FEES FOR THE VARIOUS WATERSONG DEVELOPMENT PHASES dated April 19, 2005 and subsequently amended July 26, 2006 and is attached hereto.

Adopted, this 26th day of July, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State personally appeared **Regina A. Kostoff, Chair, John Suarez, and Ryan P. Chasey,** all as Members of the Board of Public Works, and acknowledged the execution of the foregoing Resolution as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 26th day of July 2006.

Notary Public Marjorie Enders

Printed Name of Notary

Resident of _____ County

My Commission Expires:

MARJORIE ENDERS
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP. APR. 13,2008

Document Prepared by: Chris York, Attorney

AN AGREEMENT BY AND BETWEEN FORT WAYNE CITY UTILITIES AND SOUTHWEST DEVELOPMENT AT UNION CHAPEL, LLC AND WATERSONG OFFICE PARK, LLC FOR THE PAYMENT OF AREA CONNECTION FEES FOR THE VARIOUS WATERSONG DEVELOPMENT PHASES (AMENDED)

WHEREAS, City Utilities and Southwest Development at Union Chapel, LLC (SWD) and Watersong Office Park, LLC (WOP) have a disagreement regarding area connection fees due for Watersong Section III Phase II; and

WHEREAS, it is the desire and intent of City Utilities to ultimately collect the total area connection fees due as identified in Exhibit A for Watersong Section III Phase II; and

WHEREAS, in an effort to settle the disagreement regarding area connection fees for Watersong Section III Phase II, City Utilities has worked with SWD & WOP to establish a payment arrangement that will allow for the collection of the total fees due; and

WHEREAS, the real estate subject to this agreement includes lots 70-77, 79-83 and 85-93 in the recorded plat of Watersong Section III, as recorded in Allen County Plat Record D-193 and lots in the proposed Watersong Section Two and certain building sites in Watersong Office Park and the proposed Watersong Professional Village.

THEREFORE, the Board of Public Works (Board), SWD and WOP agree to the following:

1. That prior to City of Fort Wayne providing sanitary sewer service to lots numbered 70 through 77, lots 79 through 83, and lots 85 through 93 in the plat of Watersong Section III as further described in Exhibit B attached, area connection fees in the amount of $540.00 per ERU shall be paid to City Utilities prior to the execution of a contract with the Board for sewer service for Watersong Section III Phase II or at the time of connection.

   Prior to execution of this agreement certain lots in Watersong Section III Phase II have been connected to the City Utilities sanitary sewer system and the full area connection fees that City Utility believes are due for those lots were paid at time of those connections. These lots include Lots 76, 78 and 84 and are not subject to this Agreement.

2. That prior to providing sanitary sewer service by the City of Fort Wayne to real estate within the area described in attached Exhibit C identified as Watersong Section Two, area connection fees shall be paid to City Utilities at the then current area connection fee schedule established pursuant to Board approved Resolution(s) plus an additional connection fee of $300.00 per ERU which represents payments applicable to the shortfall in area connection fees between what City Utilities believes are due and the payments described in Section 1 that will occur for Watersong Section III Phase II. Said fees shall

be paid prior to the execution of a contract with the Board for sewer service for all phases of Watersong Section Two or at the time of connection.

3. That the Board and SWD, agree to amend Paragraph 5 of the Sewer Contract 2002-S-39 (Watersong Office Park) to read as follows:

   The area above is subject to an area connection fee of **$1,190 (One thousand one hundred ninety dollars and no cents)** per net acre, in accordance with agreements and/or resolutions on file in the Office of the Board of Public Works of said **CITY**. In addition to the aforesaid per net acre fee, an area connection fee in the amount of **$3,931.00 (Three thousand nine hundred thirty one and no cents)** shall be paid for each connection to Bldgs. 1,2,3,11,12 and 13 as shown on Sheet 5 of the as-built plans for Watersong Office Park contained in the files of Contract 2002-S-39. The fee amount of $3,931.00 (Three thousand nine hundred thirty one and no cents) represents a payment applicable to the shortfall in area connection fees between what City Utilities believes are due and the payments described in the AGREEMENT approved by the Board in Resolution No. 92-4-27-05-1 approved April 27, 2005 and subsequently amended by Resolution No. _____ approved July 26, 2006 that will occur for Watersong Section III Phase II. Said fees shall be paid at the time of connection. This area connection fee represents the installation and/or oversizing costs expended by **CITY** for downstream collection system and treatment facilities that serve Watersong Section III Phase II and Watersong Office Park.

   It is noted that the aforementioned area connection fee of $1,190 per net acre was paid in full on September 6, 2002; however, the area connection fee of $3,931.00 (Three thousand nine hundred thirty one and no cents) has not been paid and is due at the time of connection for buildings 1, 2, 3, 11, 12 and 13 in Watersong Office Park.

4. That prior to providing sanitary sewer service to real estate within the area described in Exhibit D – Watersong Professional Village not currently served by sanitary sewer, area connection fees shall be paid to City Utilities at the then current area connection fee schedule established pursuant to Board approved Resolution(s) plus an additional fee of $3,931.00 per connection which represents a payment applicable to the shortfall in area connection fees between what City Utilities believes are due and the payments described in Section 1 that will occur for Watersong Section III Phase II. Said fees shall be paid prior to the execution of a contract with the Board for sewer service or at the time of connection. It is estimated that three building sites will be subject to the aforementioned area connection fee.

5. That this agreement shall be binding upon and shall run with the land for the benefit of the heirs, personal representatives, successors and assigns of the Southwest Development at Union Chapel, LLC and Watersong Office Park, LLC.

IN WITNESS WHEREOF, the parties to this agreement have subscribed to this instrument this 26th day of July 2006.

For SOUTHWEST DEVELOPMENT AT UNION CHAPEL, LLC

BY: _____
Gregory C. Walbridge, Member Manager

For WATERSONG OFFICE PARK, LLC

BY: _____
Gregory C. Walbridge, Member Manager

For FORT WAYNE CITY UTILITIES – Development Services

BY: _____
Nancy Townsend, Manager Development Services

ACKNOWLEDGEMENT

STATE OF INDIANA)

)

COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared Gregory C. Walbridge, Member Manager of Southwest Development at Union Chapel, LLC and Member Manager of Watersong Office Park LLC and acknowledged the execution of the foregoing agreement as and for his voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notorial seal this 7 day of July, 2006.

Nancy E. Rush

NANCY E. RUSH
Notary Public - Seal
State of Indiana
My Commission Expires Oct 19, 2011

My Commission Expires: Notary Public

Resident of Allen County

ACKNOWLEDGEMENT

STATE OF INDIANA)

)

COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared Nancy Townsend of Fort Wayne City Utilities Development Services and acknowledged the execution of the foregoing agreement as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notorial seal this 24th day of July, 2006.

Tina M Anderson

My Commission Expires:
April 2, 2011

Notary Public

Resident of Allen County

This instrument prepared by:
Chris York, Attorney

TINA M. ANDERSON
Allen County
My Commission Expires
April 2, 2011

EXHIBIT A

Area Connection Fee Calculation – Watersong Section III Phase II

Development	Date of Plan Approval	Area Connect Fee Shed Area	Area Connect Fee @ Plan Approval	Total No. of Lots	Total Area Connection Fees Due
Watersong Section III Phase II	June 9, 2004	5A	$2,680	22	$58,960

EXHIBIT B

WATERSONG SECTION III PHASE II

DESCRIPTION

A Part of the South half of the North half of Section 27, Township 32 North, Range 12 East of the Second Principle Meridian, Perry Township, Allen County, Indiana, being more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of said Section 27, which corner being marked by a PK Nail; thence South 88 degrees 49 minutes 45 seconds West along the South line of the East half of said Northwest Quarter, a distance of 680.62 feet; thence continuing South 88 degrees 49 minutes 45 seconds West along said line, a distance of 371.51 feet, which point being North 88 degrees 49 minutes 45 seconds East, a distance of 232.27 feet from the Southwest corner of said East half of the Northwest Quarter; thence North 0 degrees 00 minutes 00 seconds West, a distance of 449.23 feet; thence North 9 degrees 24 minutes 57 seconds West, a distance of 109.37 feet; thence North 4 degrees 52 minutes 31 seconds West, a distance of 60.58 feet; thence North 16 degrees 32 minutes 42 seconds West, a distance of 153.78 feet to the POINT OF BEGINNING;

Thence continuing North 16 degrees 32 minutes 42 seconds West, a distance of 56.63 feet; thence North 48 degrees 17 minutes 55 seconds East, a distance of 269.32 feet; thence North 1 degree 26 minutes 37 seconds West, a distance of 221.01 feet; thence South 88 degrees 33 minutes 14 seconds West, a distance of 54.46 feet; thence North 0 degrees 58 minutes 26 seconds West, a distance of 100.45 feet to the South line of Perry Lake Estates, Section III as recorded in Plat Cabinet "C", Page 160, in the Office of Recorder of said County, also, by Record being the North line of said South half, which Point being South 2.40 feet and North 89 degrees 01 minutes 34 seconds East, a distance of 323.40 feet from a Railroad Post Monument; thence North 89 degrees 01 minutes 34 seconds East along said South line of Perry Lake Estates, Section III (as occupied), a distance of 964.58 feet to the East line of the South half of the Northwest Quarter of said Section 27; thence North 89 degrees 01 minutes 34 seconds East, a distance of 429.57 feet to the East line of Block "C" of Chapel Creek, Section I, as recorded in Plat Cabinet "C", Page 34 in the Office of said Recorder, which point being South 9.05 feet from the Northwest corner of Block "C" in said Chapel Creek, Section I, also, being from the record North line of the South half of the Northeast Quarter of said Section 27; thence the next 7 courses along the Easterly and Northerly boundary lines of said Chapel Creek:

EXHIBIT C

LEGAL DESCRIPTION: WATERSONG, SECTION TWO

CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 525.00 FEET, A CENTRAL ANGLE OF 9 DEGREES 34 MINUTES 48 SECONDS, AND A CHORD OF 87.68 FEET BEARING NORTH 59 DEGREES 25 MINUTES 41 SECONDS WEST; (6) THENCE NORTHWEST ALONG SAID CURVE, A DISTANCE OF 87.78 FEET; (7) THENCE NORTH 54 DEGREES 38 MINUTES 17 SECONDS WEST, A DISTANCE OF 23.88 FEET; (8) THENCE SOUTH 36 DEGREES 34 MINUTES 55 SECONDS WEST, A DISTANCE OF 118.78 FEET; (9) THENCE SOUTH 51 DEGREES 45 MINUTES 21 SECONDS WEST, A DISTANCE OF 90.18 FEET; (10) THENCE NORTH 39 DEGREES 41 MINUTES 55 SECONDS WEST, A DISTANCE OF 135.87 FEET; (11) THENCE NORTH 51 DEGREES 29 MINUTES 46 SECONDS EAST, A DISTANCE OF 19.91 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 425.00 FEET, A CENTRAL ANGLE OF 6 DEGREES 41 MINUTES 20 SECONDS, AND A CHORD OF 49.59 FEET BEARING NORTH 48 DEGREES 09 MINUTES 06 SECONDS EAST; (12) THENCE NORTHEAST ALONG SAID CURVE, A DISTANCE OF 49.62 FEET; (13) THENCE NORTH 44 DEGREES 28 MINUTES 35 SECONDS WEST, A DISTANCE OF 165.44 FEET; (14) THENCE SOUTH 60 DEGREES 01 MINUTE 12 SECONDS WEST, A DISTANCE OF 158.23 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 225.00 FEET, A CENTRAL ANGLE OF 4 DEGREES 31 MINUTES 07 SECONDS, AND A CHORD OF 17.74 FEET BEARING SOUTH 32 DEGREES 44 MINUTES 33 SECONDS EAST; (15) THENCE SOUTHEAST ALONG SAID CURVE, A DISTANCE OF 17.74 FEET; (16) THENCE SOUTH 35 DEGREES 00 MINUTES 07 SECONDS EAST, A DISTANCE OF 20.59 FEET (17) THENCE SOUTH 79 DEGREES 39 MINUTES 46 SECONDS WEST, A DISTANCE OF 190.82 FEET; (18) THENCE SOUTH 88 DEGREES 26 MINUTES 13 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED TRACT CONTAINING 18.005 ACRES, MORE OR LESS.

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS AND RIGHT OF WAYS OF RECORD.

BEARING OF LINES BEING BASED ON WGS84 LONGITUDE AND LATITUDE BY GPS OBSERVATIONS.

EXHIBIT D

LEGAL DESCRIPTION: WATERSONG PROFESSIONAL VILLAGE

A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 32 NORTH, RANGE 12 EAST, 2ND PRINCIPLE MERIDIAN, PERRY TOWNSHIP, ALLEN COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, WHICH CORNER BEING MARKED BY A PK NAIL, SAID CORNER, ALSO, BEING THE INTERSECTION OF COLDWATER ROAD (FORMERLY S.R. #327) AND UNION CHAPEL ROAD; THENCE ALONG THE WEST LINE OF SAID SECTION 27, NORTH 1 DEGREE 33 MINUTES 40 SECONDS WEST, A DISTANCE OF 1324.51 FEET; THENCE LEAVING SAID WEST LINE, NORTH 88 DEGREES 56 MINUTES 51 SECONDS EAST, A DISTANCE OF 399.97 FEET; THENCE SOUTH 1 DEGREE 33 MINUTES 47 SECONDS EAST, A DISTANCE OF 1323.60 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE ALONG SAID SOUTH LINE SOUTH 88 DEGREES 49 MINUTES 04 SECONDS WEST, A DISTANCE OF 400.01 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED TRACT CONTAINING 12.158 ACRES, MORE OR LESS; AND,

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS AND RIGHT OF WAYS OF RECORD.

BEARING OF LINES IS BASED ON WGS84 LONGITUDE AND LATITUDE BY GPS OBSERVATIONS. BEARING OF LINES ARE COUNTER CLOCKWISE 1 DEGREE 11 MINUTES 19 SECONDS TO THE BEARING DATUM OF CHAPEL CREEK, SECTION ONE, AS RECORDED IN PLAT CABINET "C", PAGE 34, IN THE OFFICE OF SAID RECORDER.

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: July 26, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $100,964.29 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

DELL Marketing	PR #10	7,189.32
ASAP	PR #10	294.63
ASAP	PR #11	2,062.41
DISYS	PR #11	180.93
Lagan Technologies	PR #11	91,237.00
	Total for Payment Requests	**$ 100,964.29**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

July 26, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: July 26, 2006

RE: 2006 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $108,033.24 to be paid from the proceeds of the 2006 Passenger Vehicle Lease Financing which are held in an escrow at JP Morgan Trust Company.

Payment Requests #6 - #8

Barney's Auto Electric	PR #6	11,634.49
Southwestern Fire & Safety	PR #8	29,495.00
Tessco	PR #8	23,278.77
Motorola	PR #8	6,500.00
DeHaven Chevrolet	PR #8	31,698.22
Barney's Auto Electric	PR #8	3,182.76
H&H Sales Co., Inc.	PR #8	2,244.00
Total for Payment Requests		**$ 108,033.24**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

July 26, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: July 26, 2006

RE: 2006 Street Department Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,500.00 to be paid from the proceeds of the 2006 Street Department Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

Wells Fargo Bank, N.A.	1,500.00
Total for Payment Requests	**$ 1,500.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

July 26, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: July 26, 2006

RE: 2006 Financial System Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,500.00 to be paid from the proceeds of the 2006 Financial System Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

Wells Fargo Bank, N.A.	1,500.00
Total for Payment Requests	**$ 1,500.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

July 26, 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: July 17, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 1,652,165.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Dechlorination Project – W.O. 75003, the WPCP Primary Clarifiers Project – W.O. 74742 and the Parkerdale Sanitary Sewer project – W.O. 74750.

Draw #46	CH2M Hill	$ 6,045.00
Draw #47 & #48	Donohue & Associates	34,187.00
Draw #49 & #50	Geiger Developing and Tower Bank	270,659.00
Draw #51	Barton Malow Co. and National City Bank	1,341,274.00
Total SRF Payments		**$1,652,165.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

July 26, 2006
Date

LIME SLUDGE LINE FORCE MAIN CAPACITY IMPROVEMENTS PH 2
RESOLUTION NO. 1834-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

A 10 inch ductile iron or 12 inch hdpe or PVC parallel Lime sludge force main will be installed from Colliseum to Pemberton Avenue along the north side of the Maumee River.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Lime Sludge Line Force Main Capacity Improvements Phase 2

Declares the cost of the said improvements shall be paid by the funds from the property owners (Barrett Law) and the Fort Wayne Water Utility (Revenue Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $650000.

APPROVED THIS 26th DAY OF July, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff Chair

BY: John Suarez
John C. Suarez, Member

BY: Ryan P. Chasey
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7075-06

COLONIAL HERITAGE / CROWN COLONY
WORK ORDER NO. 11932

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: CONCRETE PAVEMENT REPLACEMENT, SIDEWALKS, DRIVES, 6" K-DRAIN, SEED AND MULCH RESTORATION

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 26th day of July, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: COLONIAL HERITAGE/CROWN COLONY RES. NO.: 7075-06

DATE: JUly 20, 2006 W.O. NO.: 11932

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	470	SY	5.00	2350.00
2.	Removal of Pavement	2100	SY	6.00	12600.00
3.	Common Excavation	50	CY	11.00	550.00
4.	Cement Concrete Pavement, Plain (6") Including Jay Bolts	2100	SY	24.00	50400.00
5.	Concrete Sidewalk (4")	110	SY	23.00	2530.00
6.	Concrete Pavement for Residential Drive (6")	335	SY	27.00	9045.00
7.	Concrete Wingwalk & Ramps (6")	25	SY	40.00	1000.00
8	Top Soil	135	TON	15.00	2025.00
9	Fertlize Trees	9	EA	70.00	630.00
10	Mulched Seeding,	1350	SY	1.50	2025.00
11	Backfill Behind Curb (Borrow)	80	TON	7.00	560.00
12	Water Valves (Valve-Box) Adjusted to Grade	1	EA	35.00	35.00
13	Water Valves (Curb-Box) Adjusted to Grade	1	EA	45.00	45.00
14	Castings Adjusted to Grade	2	EA	150.00	300.00
15	Casting Type "C" Furnished & Adjusted to Grade	1	EA	400.00	400.00
16	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	1000	LF	8.00	8000.00
17	Type "O" Compacted Aggregate for Base, No.53	650	TON	15.00	9750.00
18	Bed Course Material	130	TON	10.00	1300.00
19	Standard Barricade, Type II Type C Const. Warning Light, Or Plastic Drums	35	EA	28.00	980.00
20	Construction Sign, A	10	EA	80.00	800.00

21	Standard Barricade, Type III - B Road Closed To Local Traffic Only	10	EA	120.00	1200.00
22	Expansion Joint with Load Transfer, 6" Inches	27	LF	10.00	270.00
23	SDR 35 PVC 6" Plastic Pipe, Including 6" Furnco	6	LF	5.00	30.00
24	Inlet, Type IV-E, Include No. 53 Stone Backfill	2	EA	1500.00	3000.00
25	60" Manhole, Type (II-A) Include No. 53 Stone Backfill	1	EA	2800.00	2800.00
26	60" Manhole, Type (II-B) Open Lid	2	EA	2800.00	5600.00
27	Tap Into MH #3 With Two 8' K-Drains and End Cap For 6830, 6904	1	LS	150.00	150.00
28	Pipe, RCP, Class III, 12" (Include No. 53, Special Backfill)	30	LF	35.00	1050.00
29	Pipe, RCP, Class III, 27" (Include No. 53, Special Backfill)	300	LF	55.00	16500.00
30	Pipe, RCP, Class III, 30" (Include No. 53, Special Backfill)	150	LF	56.00	8400.00
31	Rip Rap	15	SY	25.00	375.00
32	Clean Out, Removal of Brush and Silt in Ditch Around Pipe Outfall of Pipe	80	SY	16.00	1280.00
33	Concrete Removal in Ditch Area	34	SY	7.00	238.00
34	Metal End Section, 36"	1	EA	400.00	400.00
35	Removal of Existing Chain Link Fence and Post, Reinstalling Exist Fence Adding New Post	100	LF	13.00	1300.00
36	Grading and Shaping Ditch on Enbankment	40	LF	25.00	1000.00
37	Utility Contingency Funds	1	LS	2000.00	2000.00
38	Maintenance of Traffic	1	LS	6300.00	6300.00
39	Mobilization / Demobilization	1	LS	8200.00	8200.00

SUB-TOTAL: 165418.00
E&I @25% 41354.50

COST FOR PIPE AND STRUCTURES, ECT $44,093

TOTAL: $206,772.50

IMPROVEMENT RESOLUTION NO. 7100-06

PUTNAM STREET WALKS
WORK ORDER NO. 11956

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: 700 BLK SOUTH SIDE: CONCRETE DRIVE APPROACHES, SIDEWALKS, CURBS, SEED AND MULCH RESTORATION

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 26th day of July, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: 700 BLK. PUTMAN SO. SIDE RES. NO.: 7100-06

DATE: JULY 5, 2006 W.O. NO.: 11956

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curb	340	LF	6.00	2040.00
2.	Concrete Curb Type III	340	LF	15.00	5100.00
3.	Concrete Sidewalk (4")	160	SY	25.00	4000.00
4.	Concrete Wingwalk & Ramps (6")	25	SY	50.00	1250.00
5.	Concrete Pavement for Residential Drive (6")	26	SY	27.00	702.00
6.	Removal of Concrete	211	SY	6.00	1266.00
7.	Asphalt / Concrete Pavement Patching	60	SY	60.00	3600.00
8.	Tree Fertlization	4	EA	75.00	300.00
9.	Prune Back Two Bushes In Right Of Way	2	EA	125.00	250.00
10.	Mulched Seeding,	320	SY	2.00	640.00
11.	Top Soil	35	TON	16.00	560.00
12.	Bed Course Material	50	TON	6.50	325.00
13.	Water Valves (Curb-Box) Adjusted to Grade	7	EA	45.00	315.00
14.	Castings Adjusted to Grade	1	EA	200.00	200.00
15.	Standard Barricade, Type II Type C Const. Warning Light	20	EA	30.00	600.00
16.	Construction Signs, Type A With Construction Warning Light Type A	6	EA	80.00	480.00
17.	Maintenance of Traffic	1	LS	1100.00	1100.00
18.	Mobilization / Demobilization	1	LS	1300.00	1300.00

SUB-TOTAL: $24,028.00
E&I @ 25% 6007.00

TOTAL: $30,035.00

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: July 25, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 1,575,920.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Dechlorination Project – W.O. 75003 and the WPCP Primary Clarifiers Project – W.O. 74742.

Draw #52	CH2M Hill	$ 70,336.00
Draw #53	CH2M Hill	7,771.00
Draw #54	Crowe Chizek & Co.	27,629.00
Draw #55	Barton Malow Co. and National City Bank	1,470,184.00
	Total SRF Payments	**$1,575,920.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

August 2nd, 2006
Date

42

IMPROVEMENT RESOLUTION NO. 7105-06

SOUTH ANTHONY BOULEVARD
WORK ORDER NO. 11419

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: S. Anthony Blvd. from Gardendale Avenue to Gable Road by reconstruction of roadway; i.e. cement concrete rehabilitation; which includes: cement concrete pavement replacement, cement concrete pavement patching (at specific existing pavement joints), integral curbs, under-drain, reconstruct residential drive approaches, partial replacement of commercial drive approach at sta. 5+30 (east-side), storm-sewer infrastructure improvements, top soil, and mulched seeding restoration

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 2nd day of August, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: S. Anthony Blvd. Concrete Pavement Rehabilltation - Phase I
Gardendale Ave. to Gable Rd.

RES. NO.: 7105-06

DATE: 7/21/2006

W.O. NO.: 11419

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization & Demobilization	1	EA	10000.00	10000.00
2.	Removal of Pavement	3560	SY	10.00	35600.00
3.	Removal of Concrete	192	SY	5.50	1056.00
4.	Patching, Full Depth, Plain Concrete Pavement, 12" "High-Early Strength"	25	SY	60.00	1500.00
5.	Cement Concrete Pavement, Plain, 9" "High-Early Strength"	3560	SY	37.75	134390.00
6.	Concrete Pavement for Commercial Drive (8")	40	SY	37.25	1490.00
7.	Concrete Pavement for Residential Drive (6")	82	SY	34.00	2788.00
8.	Concrete Sidewalk, 4" (Undistributed)	50	SY	34.00	1700.00
9.	"Special" Concrete Curb Type II-A, Includes #4. deformed reinforcement bar placed longitudinally along curb-line	685	LF	8.00	5480.00
10.	Contraction Joint, Type D-1	1448	LF	7.25	10498.00
11.	1" Expansion Joint With Load Transfer	130	LF	25.00	3250.00
12.	Inlet, Type I-C	1	EA	1550.00	1550.00
13.	Casting, Type C, Furnished & Adjusted to Grade	2	EA	325.00	650.00
14.	Casting, Type B, Furnished & Adjusted to Grade	1	EA	350.00	350.00
15.	Castings, Adjust To Grade	1	EA	150.00	150.00
16.	Underdrain,6" Perforated Plastic, Group K Pipe (incl. #8 Aggregate Backfill)	860	LF	7.50	6450.00
17.	Type "O" Compacted Aggregate for Base, No.53	825	TN	12.00	9900.00
18.	Pipe, RCP, Class IV, 12" (Include No. 53, Special Backfill)	100	LF	60.00	6000.00
19.	Water Valves (Valve Box) Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	2	EA	100.00	200.00
20.	Construction Signs, Type A With Construction Warning Light Type A	11	EA	95.00	1045.00
21.	Standard Barricade, Type III-B With Signs, Type B Construction	4	EA	225.00	900.00
22.	Backfill Behind Curb (Borrow)	90	TN	12.00	1080.00
23.	Bed Course Material	25	TN	15.00	375.00
24.	Top Soil	32	TN	19.00	608.00
25.	Mulched Seeding,	390	SY	2.00	780.00
26.	Maintenance of Traffic	1	LS	8000.00	8000.00
27.	Flashing Arrow Sign	60	DAYS	27.75	1665.00
28.	Temporary Pavement Marking, Type I, White 4"	360	LF	1.00	360.00
29.	Temporary Pavement Marking, Type I, Yellow 4"	980	LF	1.00	980.00
30.	Line, Paint, Skip, White 4"	280	LF	0.28	78.40
31.	Line, Paint, Solid, White 4"	350	LF	0.28	98.00
32.	Line, Paint, Solid, Yellow 4"	980	LF	0.28	274.40

SUB-TOTAL: 249245.80
E&I @16% 62311.45

TOTAL: $311,557.25

SOIL TREATMENT CELLS CLOSURE
RESOLUTION NO. 1803-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the removal and disposal of approximately 3,700 tons of petroleum impacted soil and all excavation and miscellaneous work as necessary for closure of treatment cells "A", "B" and "C".

Said work shall be performed under a construction contract. The City of Fort Wayne will sign a separate agreement with Republic Services Inc. (National Serv-All) for payment of all required landfill fees for soil disposed at their facility. All material handling and cell closure work will be done per IDEM requirements.

Said work shall be performed in accordance with the specifications titled, "SOIL TREATMENT CELLS CLOSURE"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $135,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 2nd DAY OF August, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

AWARD: Resolution #93-5-24-06-1, Real Estate located at 1500 Viola Avenue, Lot #33 in Deer Park Addition to AMH Enterprises, LLC in the amount of $1,000.00.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Date: August 2, 2006

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez

John Suarez, Member

Ryan P. Chasey

Ryan P. Chasey, Member

ATTEST: Marilyn Huth

Marilyn Huth, Clerk

37

BOW MEETING JULY 26, 2006
(APPROVAL TO SELL R/E – VACANT LOT 1500 VIOLA AVE)

This is a vacant lot behind the Deer Park Lodge on corner of Spring Street and Leesburg Road (1530).

On May 24, 2006 the Board approved a resolution declaring our intent to sell this real estate.

As the City has no intended use for the property we believe it is in the taxpayer's best interest to sell the lot and put it back on the tax roles.

Property Management is requesting Board approval of this sale.

Rear lot approximately 30' x 100' (Valued at $700.00)

Approached by abutting landowner.

Selling price is $1,000.00 (Assessed value less than $6,000.00 – no appraisal required).

Selling costs associated with the sale:
- survey
- title insurance
- deed preparation
- newspaper publication
- recording

These costs are referenced in IC36-1-11-5b dealing with a sale of real estate to an abutting landowner.

Published in newspaper 2 times
Bids submitted to and opened by BOW
BOW may accept or reject any and all bids

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: August 2, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 43,752.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Dechlorination Project – W.O. 75003 and the WPCP Primary Clarifiers Project – W.O. 74742.

Draw #56	Donohue & Assoc.	$ 39,580.00
Draw #57	Donohue & Assoc.	4,172.00
	Total SRF Payments	**$ 43,752.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

August 9th, 2006
Date

36

PLANT 1 WEST CLARIFIER DRIVE REPLACEMENT

RESOLUTION NO. 1858-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This work is generally described as general construction and mechanical work to remove existing Claifier equipment and to furnish and install new replacement clarifier equipment

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, PLANT 1 WEST CLARIFIER DRIVE MECHANISM REPLACEMENT

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $150,000.

APPROVED THIS 9th DAY OF August, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7106-06

MISCELLANEOUS CONSTRUCTION PACKAGE 2006
WORK ORDER NO. 11923

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: 3216 SUDBURY PLACE, 3908 DARWOOD DRIVE, 4207 & 4135 STANTON DRIVE, 4218 DALEWOOD DRIVE, 1815 CURDES AVENUE, 2902 BRIARDALE DRIVE, 1016 W. 4TH STREET, 1930 OAKLAND STREET, 1504 SHOREVIEW DRIVE, 300 W. WAYNE STREET, 1829 MAPLEWOOD ROAD, 2701 CAMBRIDGE AVENUE, 5617 AUTUMN WOODS TRAIL, 1205 LYNN AVENUE, 5216 INLAND TRAIL, 222 1/2 BERRY STREET, 2227 N. CLINTON STREET, 1302 DODGE AVENUE, 2424 CALIFORNIA AVENUE, 4418 CHANPLAIN DRIVE, AND 6417 DURANGO DRIVE WITH RECONSTRUCTION OF EXISTING CURBS, SIDEWALKS, DRIVE APPROACHES, ADA RAMPS, STORM SEWER, A RETAINING WALL, AND CONCRETE STREET REPAIRS.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for CURBS, SIDEWALKS, DRIVE APPROACHES, AND RETAINING WALL shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for ADA RAMPS, STORM SEWER, CONCRETE STREET REPAIRS, AND MULCH SEED RESTORATION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 9th day of August, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

** Addendum #1 Changes

PROJECT: Misc. Construction PKG - 2006

RES. NO.: 7106-06

DATE: 8/22/06

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curb	150	LF	5.00	750.00
**2.	Removal of Concrete / Includes Sidewalk, Curbface, Residential Drives & Pavement	1650	SY	6.00	9900.00
3.	Concrete Curb Type III, I-B, II-B	150	LF	14.00	2100.00
4.	Remove & Replace Concrete Wingwalk And Curb Ramps	70	SY	50.00	3500.00
5.	Concrete Curbface Sidewalk (6")	700	SY	28.00	19600.00
**6.	Concrete Sidewalk (4")	625	SY	24.00	15000.00
7.	Concrete Pavement For Residential Drives (6")	125	SY	32.00	4000.00
8.	Cement Concrete Pavement Plain, 6" (Includes Type I - A Curb)	130	SY	32.00	4160.00
9.	"J" Bolts	25	EA	10.00	250.00
10.	Retaining Wall	66	LF	28.00	1848.00
11.	Clearing of Right-Way	1	EA	600.00	600.00
12.	Compacted aggregate for base "O" - #53	25	TON	15.00	375.00
13.	Bed Coarse Material	260	TON	15.00	3900.00
14.	Top Soil	100	TON	15.00	1500.00
15.	Mulched Seeding	400	SY	2.00	800.00
16.	Remove & Replace With New Inlet Type I-C	1	EA	1000.00	1000.00
17.	Adjust Casting To Grade	3	EA	150.00	450.00
18.	Furnish and Adjust Casting Type " C "	3	EA	475.00	1425.00
19.	Construction Signs Type "A"	20	EA	75.00	1500.00
**20.	Remove Concrete Foundation	2	EA	300.00	600.00
**21.	Install Handhole	1	EA	125.00	125.00
**22.	Trench / Backfill	340	LF	2.00	680.00
**23.	Install Conduit In Trench	340	LF	3.00	1020.00
**24.	Install Concrete Foundation	6	EA	600.00	3600.00
**25.	Install Wire	425	LF	3.00	1275.00
26.	Mobilization and Demobilization	1	LS	8500.00	8500.00
27.	Maintenance of Traffic	1	LS	6000.00	6000.00

SUB-TOTAL:	94458.00
E&I @16%	15113.28
TOTAL:	**$109,571.28**

Revised: 02-13-04

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: August 8, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2002**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 6,241.00** to be paid from 2002 State Revolving Funds. This expense is for the WPCP Headworks project – W.O. 74595.

Draw #147	CH2M Hill	$ 889.00
Draw #148	Donohue & Assoc.	1,879.00
Draw #149	Fort Wayne Municipal Sewage Works	3,473.00
Total SRF Payments		**$ 6,241.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

August 16, 2006
Date

Board Agenda Transmittal

To: Board of Public Works

From: Nathan Baggett, PDS, EXTENSION 2066

Date: 8/17/2006, 2:19:38 PM

Re: Resolution/Contract# N/A, Work Order# N/A
Announcement of PreQualified Cured-In-Place Pipe (CIPP) Contractors 2006-2008

Enclosed are (1) originals and **one copy** of the following to be placed on the **Board** agenda for **8/23/06** .

☐ Resolution Type ☐ Award ☐ Acceptance ☐ Contracts ☐ Change Order

☐ Agreement Type ☐ Escrow Release ☐ Claims/Write offs

☐ Special Street Permit ☒ Other : Anouncement of PreQualified Cured-In-Place Pipe (CIPP) Contractors 2006-2008

***Prior Approval Required** ☐ **Yes** ☒ **No**

***Council Approval Required** ☐ **Yes** ☒ **No** **Date for Council Agenda:**

Project/Agreement Amount **N/A**

Additional Comments: Please just read the attached messagge at the next meeting

Upon approval please return to .

Lori Kosloff

2a

The following contractors are hereby prequalified to bid on Cured-in-Place Pipe (CIPP) projects for the period beginning August 23, 2006 and ending August 23, 2008 in their respective diameter classes. Only these firms may submit bids on CIPP projects to the City of Fort Wayne for the aforementioned time period.

Small and Medium Diameter Sewers

American Water Services
Insituform Technologies
Kokosing Construction
Michels Pipeline
Reynolds Inliner

Large Diameter Sewers

American Water Services
Insituform Technologies

Insituform
Technologies USA, Inc.

Worldwide Pipeline Rehabilitation

2130 Stout Field West Drive
Indianapolis, IN 46241

Tel: (317) 489-3863
Fax: (317) 489-3872
www.insituform.com

August 4, 2006

COPY

City of Fort Wayne
Board of Public Works
One E. Main Street, Room 420
Fort Wayne, IN 46802

RE: City of Fort Wayne, IN Cured-In-Place Pipe Liner (CIPP) Services, Request for Qualifications – Letter of Intent

To Whom this May Concern:

Insituform Technologies USA, Inc. (ITI) would like to take this opportunity to request that our company's qualification to install CIPP liner of each small-, medium-, and large-diameter for the City of Fort Wayne (the City) be extended for the 2006-2008 qualification period. Insituform was qualified under all diameters during the 2004-2006 qualification period, and per our discussions with Mr. Nathan Baggett from the City of Fort Wayne, this letter will serve as our renewal application for qualification in the City. Insituform has completed at least one installation in each diameter for the City of Fort Wayne during the past two years[1]. We have enjoyed working for the City of Fort Wayne in the past, and would like the pleasure of continuing to serve the rehabilitation needs of the City in the future.

ITI will provide the City with the highest quality CIPP product by employing the critical combination of (1) a superior CIPP process (Insituform) and (2) a field operations group that has the proven ability to manufacture pipe in the field under diverse conditions to consistently high standards. Insituform is a vertically integrated pipe rehabilitation company, and takes complete responsibility for the quality of the rehabilitation solution--from product research, development and manufacturing, to project engineering and installation.

We appreciate this opportunity to serve the City of Fort Wayne and we look forward to hearing from you in the near future. If you have any questions or topics you would like to discuss, please feel free to contact me at (317) 408-7136.

Sincerely,

David Goldwater
Senior Business Development Manager
Insituform Technologies USA, Inc.

cc: Nathan Baggett

[1] Ft. Wayne, CIPP #2 2005, 24,173' of 8" - 15" - Small
Ft. Wayne, CIPP # 3 2004 9,500' of 16" - 36" - Medium
Ft. Wayne, Clinton Street - 285' of 42" - Large

RECEIVED
AUG -7 2006
By

28

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: August 23, 2006

RE: 2000 Fort Wayne Municipal Building Corp - Fire Station #15

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,500.00 to be paid from the proceeds of the 2000 FWMBC - Fire Station #15 which are held in an escrow at Wells Fargo Corporate Trust Services.

Wells Fargo Bank, N.A.	1,500.00
Total for Payment Request	**$ 1,500.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

August 23 2006
Date

2

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: August 23, 2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,395.00 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Arrow Fence Co., Inc.	PR #36	1,395.00
Total for Payment Requests		**$ 1,395.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

August 23, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: August 23, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $2,825.13 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

DELL Marketing	PR #12	1,287.87
ASAP	PR #12	589.26
Imagistics	PR #12	549.00
Hewlett-Packard	PR #12	399.00
	Total for Payment Request	**$ 2,825.13**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

August 23, 2006
Date

RESOLUTION NO. 93-8-23-06-2

A RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA SUPPORTING EFFORTS
OF THE ALLEN COUNTY REGIONAL WATER AND SEWER DISTRICT
TO REPLACE FAILING SEPTIC SYSTEMS WITH PUBLIC SEWERS
AND RECOMMENDING FINANCIAL SUPPORT FOR DISTRICT PROJECTS

WHEREAS, the Board of Public Works of the City of Fort Wayne, Indiana supports efforts to improve water quality in area rivers and streams; and

WHEREAS, replacing private septic systems with public sewer systems is a recognized means to improve water quality; and

WHEREAS, the Allen County Regional Water and Sewer District has the mission and ability to facilitate the design and installation of public sewer systems to replace failing septic systems; and

WHEREAS, the District must invest working capital in project design in order to further its mission, said capital being repaid to the District by benefited properties when a sewer project is completed; and

WHEREAS, many residents in Allen County have expressed to the District a desire to investigate the extension of public sewers to eliminate their septic systems; and

WHEREAS, residents served by District projects may become direct retail customers of City Utilities or are served by city Utilities through wholesale agreements between Fort Wayne and the District; and

WHEREAS, it is in the interest of the City of Fort Wayne to assist the District in its mission by making some working capital available through a loan and by helping to insure the District against the loss of engineering fees that could be suffered by the District if a project is designed but not built due to lack of support from property owners; and

WHEREAS, to date, all projects initiated and designed by the District have been built and no engineering fees have been lost; and

WHEREAS, The Allen County Commissioners have expressed support for District projects by pledging to provide up to $30,000 to insure that can repay the District for engineering fees that might be lost if a sewer project is designed but not constructed.

Now therefore be it resolved by the Board of Public Works of the City of Fort Wayne, Indiana as follows:

1. That the Board supports the efforts of the Allen County Regional Water and Sewer District to replace failing septic systems with public sewer systems where feasible.
2. That the Board requests that the Common Council of the City of Fort Wayne approve an inter-local agreement to loan $50,000 to the District for a period of five years at no interest to be used by the District as working capital to pay for project engineering fees. After the maturity date, interest would be charged on the unpaid balance at a rate of 4%.
3. That the Board requests that the Common Council approve – within the inter-local agreement -- a commitment to reimburse the District for 50% of engineering costs for projects that cannot be recouped because said projects are not constructed. The total reimbursement amount shall not exceed $30,000 and that the reimbursement agreement shall be revisited when the payout reaches the $30,000 limit.

Approved and effective this 23rd day of August, 2006.

Board of Public Works
Fort Wayne, Indiana

Regina A. Kostoff, Chair

Ryan P. Chasey, Member

Johhn Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

25

RESOLUTION NO. 93-8-23-06-2

A RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA SUPPORTING EFFORTS
OF THE ALLEN COUNTY REGIONAL WATER AND SEWER DISTRICT
TO REPLACE FAILING SEPTIC SYSTEMS WITH PUBLIC SEWERS
AND RECOMMENDING FINANCIAL SUPPORT FOR DISTRICT PROJECTS

WHEREAS, the Board of Public Works of the City of Fort Wayne, Indiana supports efforts to improve water quality in area rivers and streams; and

WHEREAS, replacing private septic systems with public sewer systems is a recognized means to improve water quality; and

WHEREAS, the Allen County Regional Water and Sewer District has the mission and ability to facilitate the design and installation of public sewer systems to replace failing septic systems; and

WHEREAS, the District must invest working capital in project design in order to further its mission, said capital being repaid to the District by benefited properties when a sewer project is completed; and

WHEREAS, many residents in Allen County have expressed to the District a desire to investigate the extension of public sewers to eliminate their septic systems; and

WHEREAS, residents served by District projects may become direct retail customers of City Utilities or are served by city Utilities through wholesale agreements between Fort Wayne and the District; and

WHEREAS, it is in the interest of the City of Fort Wayne to assist the District in its mission by making some working capital available through a loan and by helping to insure the District against the loss of engineering fees that could be suffered by the District if a project is designed but not built due to lack of support from property owners; and

WHEREAS, to date, all projects initiated and designed by the District have been built and no engineering fees have been lost; and

WHEREAS, The Allen County Commissioners have expressed support for District projects by pledging to provide up to $30,000 to insure that can repay the District for engineering fees that might be lost if a sewer project is designed but not constructed.

Now therefore be it resolved by the Board of Public Works of the City of Fort Wayne, Indiana as follows:

1. That the Board supports the efforts of the Allen County Regional Water and Sewer District to replace failing septic systems with public sewer systems where feasible.
2. That the Board requests that the Common Council of the City of Fort Wayne approve an inter-local agreement to loan $50,000 to the District for a period of five years at no interest to be used by the District as working capital to pay for project engineering fees. After the maturity date, interest would be charged on the unpaid balance at a rate of 4%.
3. That the Board requests that the Common Council approve – within the inter-local agreement -- a commitment to reimburse the District for 50% of engineering costs for projects that cannot be recouped because said projects are not constructed. The total reimbursement amount shall not exceed $30,000 and that the reimbursement agreement shall be revisited when the payout reaches the $30,000 limit.

Approved and effective this 23rd day of August, 2006.

Board of Public Works
Fort Wayne, Indiana

Regina A. Kostoff, Chair

Ryan P. Chasey, Member

Johhn Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

#93-8-23-06-1

A RESOLUTION APPROVING THE CONVEYANCE OF CERTAIN REAL ESTATE TO THE BOARD OF PUBLIC WORKS, CITY OF FORT WAYNE, INDIANA.

WHEREAS, the Little River Wetlands Project desires to convey a small parcel of land located along Taylor Road, east of Engle Road, specifically described in the Corporate Deed, Exhibit "A," attached hereto and made a part hereof; and

WHEREAS, this parcel of land is necessary for the Towpath Trail to connect the Rivergreenway system to the trails in Aboite Township.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1: The conveyance of a small parcel of land located along Taylor Road, east of Engle Road, specifically described in the Corporate Deed, Exhibit "A," by the Little River Wetlands Project to the City of Fort Wayne Board of Public Works, is hereby approved and agreed to.

SECTION 2: This Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Common Council of the City of Fort Wayne and the Mayor.

The City of Fort Wayne Board of Public Works:

Approves the donation of part of the fractional southwest quarter of Section 18, Township 30 North, Range 12 East (Wayne Township), Allen County, Indiana, together with the vacated right-of-way of the Indiana Service Corp. which adjoins said part.

Approved this 23rd day of August, 2006

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan P. Chasey, Member

ATTEST BY:
_____
Marilyn Huth, Clerk

14

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

August 23, 2006

Board of Works
City-County, Room 420
One Main Street
Fort Wayne, IN 46802

Dear Board of Works Members:

The City of Fort Wayne is working with various entities to construct a 6.8 mile trail from Rockhill Park to Lutheran Hospital called the Towpath Trail. This trail will connect the existing Rivergreenway with the trails that are being planned and constructed in Aboite Township. The Towpath Trail will run along the former route of the Wabash & Erie Canal and the interurban railroad between Fort Wayne and Huntington.

We have a property that is being donated to the City of Fort Wayne for the Towpath Trail. This property is being conveyed to the City of Fort Wayne Board of Works via a Quit Claim Deed from the Little River Wetlands Project. This property is just east of Engle Road and south of Taylor Street.

I would like to ask the Board of Works and then City Council to accept this land donation for the Towpath Trail so that we can proceed with recording the Quit Claim Deed. Please contact me at 427-6002 if you have any questions. Thank you.

Sincerely,

Dawn Ritchie
Greenways Manager

THIS FORM HAS BEEN PREPARED FOR USE IN THE STATE OF INDIANA. SELECTING A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTING SPECIAL CLAUSES MAY CONSTITUTE THE PRACTICE OF LAW, WHICH SHOULD BE PERFORMED ONLY BY A LAWYER.

Mail Tax Bills To:
One Main Street
Fort Wayne, IN 46802

CORPORATE DEED

THIS INDENTURE WITNESSETH, That Little River Wetlands Project, Inc. ("Grantor"), a corporation organized and existing under the laws of the State of Indiana, ~~CONVEYS AND WARRANTS~~ -- RELEASES AND QUIT CLAIMS (strike one) to City of Fort Wayne Board of Works ("Grantee") of Allen County, in the State of Indiana, in consideration of One Dollar and No/100 ($1.00), the receipt of which is hereby acknowledged, the following described real estate in Allen County, in the State of Indiana, to-wit:

See Exhibit "A" attached hereto and made a part hereof by reference.

The undersigned person(s) executing this deed represent(s) and certify (certifies) on behalf of the Grantor, that (each of) the undersigned is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or the by-laws of the Grantor, to execute and deliver this deed; that the Grantor is a corporation in good standing in the State of its origin and, where required, in the State where the subject real estate is situate; that the Grantor has full corporate capacity to convey the real estate described; and that all necessary corporate action for the making of this conveyance has been duly taken.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 22 ND day of June, 2006.

16

Little River Wetlands Project, Inc.

(NAME OF CORPORATION)

By Thom Maher

Thom Maher, President

(PRINTED NAME AND OFFICE)

By _____

_____

(PRINTED NAME AND OFFICE)

STATE OF INDIANA, COUNTY OF ALLEN SS:

Before me a Notary Public in and for said County and State, personally appeared Thom Maher and _____ the President and _____, ~~respectively~~, of Little River Wetlands Project, Inc. who acknowledged execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 22 NO day of JUNE, 2006.

My Commission Expires: OCTOBER 20, 2009 Signature Lynn R Cook

Resident of ALLEN County Printed LYNN R COOK, Notary Public

STATE OF INDIANA, COUNTY OF ALLEN SS: 311-56-2574

Before me a Notary Public in and for said County and State, personally appeared _____ and _____ the _____ and _____, respectively, of _____ who acknowledged execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

NOTARY PUBLIC SEAL STATE OF IND.
LYNN R. COOK
Allen County
My Commission Expires
October 20, 2009

Witness my hand and Notarial Seal this _____ day of _____, _____.

My Commission Expires: _____ Signature _____

Resident of _____ County Printed _____, Notary Public

This instrument prepared by: Charles D. Bash Attorney at Law

Attorney Identification No. 4285-02

Mail to:

ALLEN COUNTY INDIANA BAR ASSOCIATION

© COPYRIGHT 1997, THE ALLEN COUNTY INDIANA BAR ASSOCIATION, INC. (REV. 2/97, 6/99)

17

EXHIBIT A - LEGAL DESCRIPTION

Part of the Fractional Southwest Quarter of Section 18, Township 30 North, Range 12 East (Wayne Township), Allen County, Indiana, TOGETHER WITH the vacated right-of-way of the Indiana Service Corp. which adjoins said part, all being more particularly described as follows, to-wit:

BEGINNING at the intersection of the South line of said Fractional Southwest Quarter with the Northerly right-of-way line of Indiana Service Corp. (said line being also the Southerly right-of-way line of Taylor Street); thence Northeasterly on and along said Taylor Street right-of-way, 329.2 feet; thence Southeasterly, by an interior angle of 90 degrees 00 minutes, a distance of 57.0 feet; thence Southwesterly, by an interior angle of 91 degrees 30 minutes, a distance of 230.7 feet to the South line of said Fractional Southwest Quarter; thence Westerly, by an interior angle of 145 degrees 53 minutes 30 seconds, on and along said South line being established by survey monuments found, 117.0 feet to the Point of Beginning, containing 0.389 acres of land.

END OF EXHIBIT A

SALES DISCLOSURE FORM

State Form 46021 (R5/6-05)

Prescribed by Department of Local Government Finance
Pursuant to IC 6-1 1-5.5

PRIVACY NOTICE: The telephone numbers of the parties on this form are confidential according to IC 6-1.1-5.5-3(d).

PART 1 - To be completed by BUYER/GRANTEE and SELLER/GRANTOR (typed or printed in black ink)

PROPERTY TRANSFERRED

Parcel Number(s) (Show additional parcels on separate sheet if necessary.)

Parcel Number	Part of	Acreage or Lot Size
02-12-19-102-001.000-068		0.389

# of Parcels

Address: property is on vacated Taylor Street

City, Town, or Post Office: Fort Wayne — State: IN — ZIP Code:

Tax Billing Address (if other than property address): One Main Street

City, Town, or Post Office: Fort Wayne — State: IN — ZIP Code: 46802-

Legal Description

See Exhibit "A" attached hereto and made a part hereof by reference.

CONDITIONS

Identify all conditions/items that apply

NOTE: If items 12-21 apply, filers are not subject to disclosure filing fee.

- (●) 1-Buyer is an adjacent property owner
- (●) 2-Vacant Land
- ( ) 3-Exchange for other real property ("Trade")
- ( ) 4-Seller Paid Points; amount if applicable
  $ . .
- (●) 5-Change planned in the primary use of the property? Describe in special circumstances.
- ( ) 6-Existence of family or business relationship between buyer and seller
- ( ) 7- Land Contract Dated: _____
- ( ) 8-Personal property included in transfer; amount if applicable
  $ . .
- ( ) 9- Significant physical changes to property between March 1 and date of sale
- (●) 10- Non-Warranty deed; specify type: Quitclaim Deed
- ( ) 11- Partial interest. Describe in special circumstances.
- ( ) 12-Security interest documents such as mortgages or trust deeds
- ( ) 13-Leases less than 90 years
- ( ) 14-Document resulting from foreclosure, or express threat of foreclosure, divorce court order, condemnation, probate or other judicial proceedings.
- ( ) 15-Agreements and other documents for mergers, consolidations, and incorporations
- ( ) 16-Quitclaim deeds not serving as a source of title
- ( ) 17-Documents involving the partition of land between tenants in common, joint tenants, or tenants by the entirety.
- (●) 18-Transfer to a charity, not-for-profit or government institution
- (●) 19-Transfer for no or discounted consideration, or gift
- ( ) 20-Rerecording to correct prior recorded document
- ( ) 21-Easements, Right-of-way grants

SALES DA

Contract Date (MM/DD/YYYY): / / 2006

Sales Price: $, , 1

Describe any unusual or special circumstances related to this sale, including the specification of any less-than-complete ownership interest and terms of seller financing.

Property will become part of Greenway and used for a Multiple Use Recreational Path.

19

PART 1 - To be completed by BUYER/GRANTEE and SELLER/GRANTOR (typed or printed in black ink)

Seller(s)/Grantor(s)

Seller 1 - Name or Entity as appears on deed: Little River Wetlands Project, Inc.

Address: 2403 Fairoak Drive

City, Town, or Post Office: Fort Wayne | State: IN | ZIP Code: 46809-

Seller 2 - Name or Entity as appears on deed:

Address:

City, Town, or Post Office: | State: | ZIP Code: -

Preparer Name and Address: Janice Tomlinson for Attorney Charles D. Bash, Swift & Finlayson, Suite 590, Lincoln Tower, 116 East Berry Street, Fort Wayne, IN 46802

Preparer Phone: 260-423-4422

Buyer(s)/Grantee(s)

Buyer 1 - Name or Entity as appears on deed: City of Fort Wayne Board of Works

Will this property be the buyer's primary residence? ○ Yes ◉ No

Address: One Main Street

City, Town, or Post Office: Fort Wayne | State: IN | ZIP Code: 46802-

Buyer 2 - Name or Entity as appears on deed:

Address:

City, Town, or Post Office: | State: | ZIP Code: -

Signatures

Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5, "Real Property Sales Disclosure Act".

Signature of Seller: Thomas W. Nelson

Seller Sign Date (MM/DD/YYYY): 06/22/2006

Seller Phone: 260-478-2518

Signature of Buyer:

Buyer Sign Date (MM/DD/YYYY): / / 2006

Buyer Phone: - -

PART 2 - COUNTY AUDITOR

Completion ○ Yes ○ No

Date Entered in Transfer Book / /

PART 3 - COUNTY OR TOWNSHIP ASSESSOR

County Assessor or other assessing offical must verify and complete the following information:

○ Significant physical changes to property between March 1 and date of sale

$, , AV LAND

Property class / use code

Taxing District (DLGF assigned)

$, , AV IMPV

$, , AV TOTAL

○ Valid Sale

NEIGHBORHOOD CODE

90

EXHIBIT A - LEGAL DESCRIPTION

Part of the Fractional Southwest Quarter of Section 18, Township 30 North, Range 12 East (Wayne Township), Allen County, Indiana, TOGETHER WITH the vacated right-of-way of the Indiana Service Corp. which adjoins said part, all being more particularly described as follows, to-wit:

BEGINNING at the intersection of the South line of said Fractional Southwest Quarter with the Northerly right-of-way line of Indiana Service Corp. (said line being also the Southerly right-of-way line of Taylor Street); thence Northeasterly on and along said Taylor Street right-of-way, 329.2 feet; thence Southeasterly, by an interior angle of 90 degrees 00 minutes, a distance of 57.0 feet; thence Southwesterly, by an interior angle of 91 degrees 30 minutes, a distance of 230.7 feet to the South line of said Fractional Southwest Quarter; thence Westerly, by an interior angle of 145 degrees 53 minutes 30 seconds, on and along said South line being established by survey monuments found, 117.0 feet to the Point of Beginning, containing 0.389 acres of land.

END OF EXHIBIT A

2

IMPROVEMENT RESOLUTION NO. 7109-06

TOWPATH TRAIL, PHASE III, CONSTRUCTION
WORK ORDER NO. 11965

RESOLVED BY THE BOARD OF WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

The Towpath Trail, a 6.8 mile trail that will connect the existing 23-mile Rivergreenway to the trails planned in Aboite Township by Aboite New Trails, Inc. The Towpath Trail is divided into four phases. Phase III will be the first segment of the trail to be constructed. Phase III is nearly one mile in length beginning at the intersection of Smith Road and Glendale Road and ending just east of the intersection of Taylor Street and Woodhill Drive.

All in accordance with details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne and by a donation from the Parkview Foundation of $150,000.

Adopted this 23rd day of August, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BID DOCUMENTS INFORMATION

☐ **Federal Project** ☒ **Standard Project**

Work Order: 11965 (WO#1) **Resolution Number:** 7109-06 (NTC#1)

Project Name: TOWPATH TRAIL, PHASE III, CONSTRUCTION (COV#1)

Engineer's Estimate: (EE#1) ☐ Under $50,000 - **$35** ☐ $50,000 - $99,999 - **$50**
☐ $100,000 - $250,000 - **$75** ☒ Over $250,000 - **$100**

Bid Date: 13th day of SEPTEMBER (DATE#1)

Project Description: The Towpath Trail is a 6.8 mile trail that will connect the existing 23-mile Rivergreenway to the trails planned in Aboite Township by Aboite New Trails, Inc. The Towpath Trail is divided into four phases. Phase III will be the first segment of the trail to be constructed. Phase III is nearly one mile in length beginning at the intersection of Smith Road and Glendale Road and ending just east of the intersection of Taylor Street and Woodhill Drive. (NTC#3)

Drawing No.: ST-11650 (NTC#4) **Sheets:** 1 through 24 (NTC#5)

Plans Prepared By: DLZ (NTC#6)

Bid Advertising Dates: 08/25/06 **Beginning (DATE#3)**
09/03/06 **Ending (DATE#4)**
08/30/06 **Ink Newspaper (DATE#5)**

Pre-Qualify: ☐ Yes ☒ No If so, by Indot or by (ITB#1)

Street Barricade: ☒ Yes ☐ No

Common Wage Schedule Payments: ☒ Yes ☐ No

Site Orientation: ☐ Yes ☒ No

Date: _____ (DATE#6) **Time:** _____ (DATE#7)

Pre Bid Conference: ☒ Yes ☐ No

Day & Date: 09/05/06 (DATE#8) **Time:** 9 AM (DATE#9)
Location: Utility Administration Conference Room, Rm 280, City-County Building
Other: _____

Completion Date: 11/22/06 for substantial completion; 4/13/07 for completion (PROP#2)

Wage Rates: _____ pages

Type of Improvement: Trail (PB#1)

Mark all that apply to project: ☐ Technical Specifications
☒ Special Provisions
☐ Other:

Completed by: Dawn Ritchie

ESTIMATE OF QUANTITIES

PROJECT: TOWPATH TRAIL - PHASE III-A

RES. NO.: 7109-06
W.O. NO.: 11965

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	CLEARING RIGHT OF WAY	1.00	LS	14,900.00	14,900.00
2	EXCAVATION, COMMON	1,460.00	CYS	10.00	14,600.00
3	BORROW	500.00	CYS	10.00	5,000.00
4	TEMP. EROSION CONTROL, PERIMETER PROTECTION	5,941.00	LFT	1.50	8,911.50
5	TEMP. EROSION CONTROL, DROP INLET PROTECTION	6.00	EA	60.00	360.00
6	COMPACTED AGGREGATE, No. 53, BASE	3,392.00	TON	20.00	67,840.00
7	HMA, SURFACE, TYPE A	338.00	TON	65.00	21,970.00
8	HMA, INTERMEDIATE, TYPE A	675.00	TON	60.00	40,500.00
9	ASPHALT FOR TACK COAT	2.00	TON	200.00	400.00
10	HMA FOR APPROACHES, TYPE A	16.00	TON	100.00	1,600.00
11	MAILBOX, REMOVE AND RESET	1.00	EA	100.00	100.00
12	CEMENT CONCRETE PAVEMENT FOR APPROACHES, 6 IN	120.00	SYS	75.00	9,000.00
13	MULCHED SEEDING	8,520.00	SYS	0.55	4,686.00
14	MOBILIZATION AND DEMOBILIZATION FOR SEEDING	1.00	EA	200.00	200.00
15	SIGN, REMOVE AND RESET ON NEW SIGN POST	2.00	EA	450.00	900.00
16	COMPACTED AGGREGATE No. 12, SHOULDERS	640.00	TON	20.00	12,800.00
17	RIP-RAP	8.00	TON	21.00	168.00
18	GEOTEXTILE	11.00	SYS	4.00	44.00
19	AGGREGATE, NO 8, FOR UNDERDRAINS	289.00	TON	20.00	5,780.00
20	8 IN, TYPE 4, PIPE	2,750.00	LFT	7.00	19,250.00
21	12 IN, HDPE	114.00	LFT	25.00	2,850.00
22	15 IN, HDPE	162.00	LFT	30.00	4,860.00
23	24 IN, HDPE	28.00	LFT	35.00	980.00
24	30 IN, RCP	69.00	LFT	45.00	3,105.00
25	60 IN, RCP	42.00	LFT	300.00	12,600.00

26	PIPE END SECTION, 12 IN	1.00	EA	130.00	130.00
27	PIPE END SECTION, 15 IN	4.00	EA	150.00	600.00
28	PIPE END SECTION, 18 IN	2.00	EA	180.00	360.00
29	PIPE END SECTION, 24 IN	2.00	EA	190.00	380.00
30	SAFETY METAL END SECTION, 6:1, 15 IN	1.00	EA	250.00	250.00
31	PIPE END SECTION, 30 IN	2.00	EA	200.00	400.00
32	UNDERDRAIN INLINE DRAIN, 18"	8.00	EA	200.00	1,600.00
33	UNDERDRAIN END SECTION, 8"	2.00	EA	50.00	100.00
34	CONCRETE ANCHOR	1.00	EA	500.00	500.00
35	30 IN X30 IN MODIFIED INLET, W/ BEEHIVE CASTING	5.00	EA	2,000.00	10,000.00
36	2 FT X 3 FT MODIFIED INLET, W/ OPEN FRAME AND GRATE	1.00	EA	2,200.00	2,200.00
37	4' MANHOLE, W/ FRAME AND GRATE	2.00	EA	2,000.00	4,000.00
38	STRUCTURE BACKFILL	180.00	CYS	20.00	3,600.00
39	ADJUST CASTING TO GRADE	2.00	EA	350.00	700.00
40	CONSTRUCTION SIGN, A	4.00	EA	100.00	400.00
41	MAINTAINING TRAFFIC	1.00	LS	4,000.00	4,000.00
42	SIGN, SHEET, ENCAPSULATED LENS W/LEGEND 0.080 IN. THICKNESS	20.00	SFT	17.00	340.00
43	SIGN POST, SQUARE, 2, REINFORCED ANCHOR BASE	72.00	LFT	9.50	684.00
44	LINE, PAINT, SOLID, YELLOW, 4 IN.	4,295.00	LFT	0.40	1,718.00
45	LINE, THERMOPLASTIC, SOLID, WHITE, 12 IN.	36.00	LFT	1.00	36.00
46	BOLLARDS, CONCRETE	6.00	EA	125.00	750.00
47	GEOGRID, BX-1100 (UNDISTRIBUTED QUANTITY)	2,000.00	SYS	4.00	8,000.00
48	COMPACTED AGGREGATE, No. 53 (UNDISTRIBUTED QUANTITY)	150.00	TON	20.00	3,000.00
49	~~FENCE, CHAIN LINK, GREEN, 8'~~	0.00	LFT	18.00	0.00
50	~~GATE, CHAIN LINK, SWING, GREEN 8'~~	0.00	EA	2,500.00	0.00
51	FENCE, CHAIN LINK, 48" (UNDISTRIBUTED QUANTITY)	500.00	LFT	16.00	8,000.00
52	FENCE, TYPE I	50.00	LFT	75.00	3,750.00

53	MODIFIED RAMP, CONCRETE	73.00	SYS	35.00	2,555.00
54	BOLLARDS, COLLAPSABLE	3.00	EA	300.00	900.00
55	AUDIO/VIDEO SURVEY	1.00	LS	1,500.00	1,500.00
56	CONSTRUCTION ENGINEERING	1.00	LS	6,300.00	6,300.00
57	MOBILIZATION AND DEMOBILIZATION	1.00	LS	16,000.00	16,000.00
58	WORK ALLOWANCE	1.00	LS	10,000.00	10,000.00
59	18 IN, HDPE	37.00	LFT	33.00	1,221.00
				TOTAL:	347,378.50

IMPROVEMENT RESOLUTION NO. 7107-06

WILT STREET RECONSTRUCTION
WORK ORDER NO. 11959

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: WILT STREET BY RECONSTRUCTING BRICK STREET, CONCRETE SIDEWALKS, CURBS, DRIVE APPROACHES, STORM DRAINAGE, AND MULCH SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 23rd day of August, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: WILT STREET

RES. NO.: 7107-06

BID DATE: 9/13/06

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL of CURB	475	LF	$5.50	$2,612.50
2.	REMOVAL of CONCRETE	374	SY	$6.50	$2,431.00
3.	REMOVAL of PAVEMENT (CONCRETE / BRICK)	661	SY	$12.00	$7,932.00
4.	REMOVAL of CATCH BASIN	3	EA	$350.00	$1,050.00
5.	REMOVAL of INLET	1	EA	$125.00	$125.00
6.	REMOVAL of TREE (24")	1	EA	$500.00	$500.00
7.	COMMON EXCAVATION (UNDISTRUBUTED)	150	CY	$20.00	$3,150.00
8.	CONCRETE CURB TYPE II - B	449	LF	$12.50	$5,612.50
9.	CONCRETE CURB TYPE III	25	LF	$20.00	$500.00
10.	CONCRETE SIDEWALK	250	SY	$25.00	$6,250.00
11.	CEMENT CONCRETE PAVEMENT for DRIVEWAY RESIDENTIAL DRIVEWAY (6")	35	SY	$29.00	$1,015.00
12.	CEMENT CONCRETE PAVEMENT for DRIVEWAY COMMERCIAL DRIVEWAY (8")	21	SY	$31.00	$651.00
13.	18 INCH CONCRETE GUTTER	50	LF	$10.00	$500.00
14.	CONCRETE WINGWALK and RAMPS	48	SY	$38.00	$1,824.00
15.	CEMENT CONCRETE / BRICK PAVEMENT UTILIZING EXISTING BRICKS	395	SY	$182.00	$71,890.00
16.	CEMENT CONCRETE / BRICK PAVEMENT UTILIZING SALVAGED (METROPOLITAN) BRICKS	266	SY	$152.00	$40,432.00
17	TOP SOIL	48	TON	$10.00	$816.00
18	MULCH SEEDING	324	SY	$1.25	$405.00
19	FERTILIZE TREE	9	EA	$45.00	$405.00
20	BACKFILL BEHIND CURB	35	TON	$10.00	$350.00
21	WATER VALVES (CURB - BOX) ADJUSTED to GRADE	3	EA	$40.00	$120.00
22	WATER VALVES ADJUSTED to GRADE	1	EA	$75.00	$75.00
23	CASTING ADJUSTED to GRADE (UTILITIES)	1	EA	$150.00	$150.00
24	UNDERDRAIN 6" PERFORATED PLASTIC TYPE " K"	536	LF	$3.75	$2,010.00
25	AGGREGATE for UNDERDRAIN	200	TON	$18.00	$3,600.00

ESTIMATE OF QUANTITIES

PROJECT: WILT STREET

RES. NO.: 7107-06

BID DATE: 9/13/06

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
26	CATCH BASIN TYPE I - C	3	EA	$2,500.00	$7,500.00
27	BED COURSE MATERIAL	60	TON	$15.00	$900.00
28	TYPE " O " COMPACTED AGGREGATE for BASE # 53 STONE	150	TON	$18.00	$2,700.00
29	STANDARD BARRICADE , TYPE III with SIGN	4	EA	$125.00	$500.00
30	STANDARD BARRICADE , TYPE III	7	EA	$70.00	$490.00
31	CONSTRUCTION SIGN, TYPE " A "	10	EA	$40.00	$400.00
32	MAINTENACE of TRAFFIC	1	LS	$6,675.84	$6,675.84
33	MOBILIZATION and DEMOBILIZATION	1	LS	$8,678.59	$8,678.59
34	SPECIAL SEALANT (COLD WEATHER CONCRETE) DAYTON SUPERIOR (WEATHER WORKER S - 40)	425	SY	$3.95	$1,678.75
35	MANHOLE , TYPE 1 - A	1	EA	$2,000.00	$2,000.00

SUB-TOTAL:	$185,929.18
E&I @25%	46,482.30
TOTAL:	**$232,411.48**

	ALTERNATE BID ITEM				
16a	CEMENT CONCRETE / BRICK PAVEMENT NEW BRICK	266	SY	$152.00	$40,432.00

SUB - TOTAL	$40,432.00
E&I @25%	10,108.00
ALTERI	**$50,540.00**

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: August 22, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 159,712.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Dechlorination Project – W.O. 75003, the WPCP Primary Clarifiers Project – W.O. 74742 and the Parkerdale Sanitary Sewer Project - W.O. 74750 .

Draw #58	Donohue & Assoc.	$ 41,296.00
Draw #59	CH2M Hill	55,802.00
Draw #60	Geiger Developing & Tower Bank	53,733.00
Draw #61	CH2M Hill	4,015.00
Draw #62	Donohue & Assoc.	4,866.00
	Total SRF Payments	**$159,712.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

August 30, 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: August 22, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2002**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 4,797.00** to be paid from 2002 State Revolving Funds. This expense is for the WPCP Headworks project – W.O. 74595.

Draw #150	Vulcan Industries	$ 4,500.00
Draw #151	CH2M Hill	297.00
Total SRF Payments		**$ 4,797.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

August 30, 2006
Date

4

IMPROVEMENT RESOLUTION NO. 7108-06

MISCELLANEOUS CONSTRUCTION PACKAGE C - 2006
WORK ORDER NO. 11969

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: 5809 ARLINGTON PARK NORTH AND 4830 CALUMET AVENUE WITH NEW DRIVE APPROACHES AND CURBS; THREE RIVERS APPARTMENTS ENTRANCE AT CLAY STREET WITH NEW ADA CURB RAMPS; THREE RIVERS APPARTMENTS ENTRANCE AT COLUMBIA AVENUE WITH NEW CURBFACE WALK; CURB CUT BETWEEN 8218 AND 8214 GRAND FOREST COURT; AND THE CORNER OF COVINGTON ROAD AND MELLBROOK DRIVE WITH NEW ADA CURBRAMPS, SIDEWALK, CURBS, AND METER-PIT WALL REPAIR.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 30th day of August, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Misc. Constr PKG C -2006 RES. NO.: 7081-06

DATE: 8/24/06

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curb	170	LF	6.00	1020.00
2.	Removal of Concrete	185	SY	8.00	1480.00
3.	Concrete Curb Type I-B & II-B	170	LF	16.00	2720.00
4.	Concrete Wingwalk And Curb Ramps	65	SY	50.00	3250.00
5.	Concrete Sidewalk (4")	25	SY	25.00	625.00
6.	Concrete Curbface Sidewalk (6")	60	SY	34.00	2040.00
7.	Concrete Pavement For Residential Drives (6")	35	SY	34.00	1190.00
8.	Remove & Replace East Side Existing Water Pit Wall (7 x 13.5)	1	LS	5000.00	5000.00
9.	#8 Aggregate Backfill)	10	TN	20.00	200.00
10.	Adjust Casting To Grade	2	EA	200.00	400.00
11.	Bituminous Surface, No. 12, HMA	10	TN	85.00	850.00
12.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	15	LF	28.00	420.00
13.	Bed Coarse Material	20	TON	15.00	300.00
14.	Top Soil	30	TON	15.00	450.00
15.	Mulched Seeding	110	SY	2.00	220.00
16.	Construction Signs Type "A"	8	EA	75.00	600.00
17.	Mobilization and Demobilization	1	LS	2000.00	2000.00
18.	Maintenance of Traffic	1	LS	1000.00	1000.00

SUB-TOTAL:	23765.00
E&I @16%	3802.40
TOTAL:	**$27,567.40**

Revised: 02-13-04

MOTOR CONTROL CENTER "Q" (MCC Q) IMPROVEMENTS
RESOLUTION NO. 1868-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **MOTOR CONTROL CENTER "Q" (MCC Q) IMPROVEMENTS.**

Said improvements involves the replacement of the existing motor control center located in the Chemical Feed Area that electrically serves the Three Rivers Filtration Plant's Chemical Feed Equipment and Lime Conveyance System. Additionally, the construction of an electrical equipment room to house the new motor control center that will protect the equipment from the existing caustic environment.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate for the design phase of the project's total cost is $40,000.00.

APPROVED THIS 30th DAY OF August, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: September 13, 2006

RE: 2006 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $89,831.04 to be paid from the proceeds of the 2006 Passenger Vehicle Lease Financing which are held in an escrow at JP Morgan Trust Company.

Payment Request #11

Extrication Solutions	6,000.00
ASAP Software	1,590.54
Interstar Technologies	6,783.00
BOLT Document Mgmt	12,876.50
Aeroflux Wichita Inc.	28,938.00
Imaging Office Solutions	7,768.00
DELL Marketing L.P.	9,450.00
Laser Labs Inc.	16,425.00
Total for Payment Request	**$ 89,831.04**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

September 13, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: September 13, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $27,243.68 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

DELL Marketing	PR #13	19,277.93
ASAP	PR #13	7,821.76
CDW Government	PR #13	143.99
	Total for Payment Request	**$ 27,243.68**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

September 13, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: September 13, 2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,320.00 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

JB Concrete Construction	PR #37	1,320.00
	Total for Payment Requests	**$ 1,320.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

September 13 2006
Date

EMERGENCY RESOLUTION (NO. 1926-2006)

WINCHESTER ROAD: AYLESFORD DRIVE TO AIRPORT EXPRESSWAY – WATER MAIN REPLACEMENT

WHEREAS, a public 12" water main has broken along the Airport Expressway and cannot be cost effectively repaired, and Winchester road main has experienced other recent main breaks, and;

WHEREAS, said main breaks could not reasonably be foreseen and require immediate action, and;

WHEREAS, repair of the 12" water main is beyond the capability of the Water Maintenance & Service Department to perform, and;

WHEREAS, at least three (3) contractors shall be invited to submit quotes to repair the breaks by replacing the existing water main with approximately 1,200 LF of 8" water main, and;

WHEREAS, the cost of said repairs shall exceed $25,000, and the total project cost is estimated to cost approximately $100,000;

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said water repair and orders the Purchasing Department to issue an **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR WORK.**

APPROVED this 13th day of September ,2006.

BOARD OF PUBLIC WORKS

By _____
Gina Kostoff, Chair

By _____
John Suarez, Member

By _____
Ryan Chasey, Member

ATTEST: _____
Marilyn Huth, Clerk

PLANT 2 SLIDE GATE REPLACEMENT
RESOLUTION NO. 1852-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of sluice gate replacement in the secondary recarbonation reservoir of the Three River Water Filtration Plant.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "PLANT 2 SLIDE GATE REPLACEMENT" prepared by Planning and Design Services for the City of Fort Wayne.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $15,000.

APPROVED THIS 13th DAY OF September, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

16

RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF
FORT WAYNE, INDIANA

RESOLUTION NO. 93-9-13-06-1

WHEREAS, the City of Fort Wayne needs to lease various fire trucks and items of capital equipment for use by the City of Fort Wayne Fire Department for continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated such leasing and has let bids therefore; and

WHEREAS, numerous bids have been let for the acquisition of the fire trucks and items of capital equipment and the Common Council has approved the acquisition of said fire trucks and items of capital equipment; and

WHEREAS, sufficient revenues are available from the City's Fire Fund to make lease rental payments on a timely basis as required for the leasing of said fire trucks and equipment items; and

WHEREAS, notices will be published requesting proposals from lessors to lease the same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the execution of said lease will permit the use and acquisition of said fire trucks and items of capital equipment within the present financial capabilities of the City and therefore same is in the public interest; and

WHEREAS, the Common Council designates the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana, for the transactions herein contemplated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works will receive bids from potential lessors for the lease of fire trucks and items of capital equipment on **SEPTEMBER 27, 2006.**

SECTION 2. The Board of Public Works, after reviewing all of the bids submitted to it pursuant to the Notice to Bidders and the Request for Proposal, will designate the lessor of those fire trucks and items of capital equipment listed on the bids received from potential lessors for the lease of certain fire trucks and items of capital equipment listed on the attached Exhibit "A" on **OCTOBER 4, 2006**. The exact lessor purchase cost for the fire trucks and items of capital equipment contained on the attached Exhibit "A" shall be determined in accordance with bidding procedures of the City of Fort Wayne, if not so previously determined.

DATED: September 13, 2006

BOARD OF PUBLIC WORKS

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez

John Suarez, Member

Ryan P. Chasey

Ryan Chasey, Member

ATTEST: Marilyn Huth

Marilyn Huth, Clerk

13

NOTICE TO BID
FIRE TRUCK AND EQUIPMENT LEASE FINANCING
09/07/06

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids **and proposals** (as described below) will be received by the **Board of Public Works at its office in Room 420, City-County Building until 8:30 a.m. on WEDNESDAY 9/27/06** for the following:

Fire Truck and Equipment Lease Financing
7-year Lease(s)
with option to purchase
for fire trucks and items of capital equipment
for use by the City of Fort Wayne

The bid should be prepared for a "Non-qualified" entity under the Small Issuer Exemption tax code provisions. No bid may be withdrawn without the written consent of the Board of Public Works for a period of five (5) days after the bid opening, within which time the Board will act to choose the successful bidder. All bids shall be accompanied by a bid bond or certified check (out of state bidders must use a certified check or an Indiana surety), in the amount of FIVE percent (5%) of the bid, which check or bid shall be made payable to the City of Fort Wayne, Indiana. Should a successful bidder withdraw his or her bid, the Board may declare the bid deposit as having been forfeited and collect said amount as liquidated damages.

Each bidder must include, in a clear and concise format, the following items in their bid:

1) The cash purchase price without regard to the lease agreement for all of the fire trucks and capital equipment items listed below.
2) The total lease rental price based on a 7-year lease period with funds to be available on or before October 16, 2006 and lease payments commencing no sooner than January 15, 2007. Bids should be submitted with semi-annual payment schedules.
3) The total amount of interest and the lease-financing factor ("interest rate") used to determine the amount of the payments must be clearly indicated.
4) Payment amortization schedules based on the above information must be submitted with the bids.
5) A provision in the lease providing for an option to purchase the fire trucks and capital equipment items.
6) A schedule of the option purchase price and at each time when an option may be executed.
7) A schedule of the amount of the lease rental payment which shall be credited to the lease purchase option.
8) A provision in the lease stating that it is subject to annual appropriation.
9) Evidence of financial responsibility.

The fire trucks, equipment items, and their estimated unit cost are detailed below.

ITEM	APPROX UNIT COST	APPROX QUANTITY	NOT TO EXCEED TOTAL COST	VENDOR(s)
Triple Combo Pumpers	289,900	6	1,739,400	American LaFrance
Mid Mount Aerial Truck	714,000	1	714,000	American LaFrance
Miscellaneous Equipment			220,000	
Contingency			76,600	
	TOTAL		**$ 2,750,000**	

All necessary approvals of the City's Common Council for the acquisition of the above-listed items are forthcoming.

The date for the anticipated cash requirements for this leasing arrangement is on or before October 16, 2006.

The Board of Public Works reserves the right to reject any and all bids for failure to comply with applicable laws and or with the instructions to Bidders. The Board of Public Works also reserves the right to waive any defect in any bid.

Board of Public Works

Regina A. Kostoff, Chairman
John Suarez, Member
Ryan Chasey, Member

ATTEST: Marilyn Huth, Clerk

Publish 9/15 & 9/22/06 in both Fort Wayne Newspapers and 9/20/06 in Frost Illustrated

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: September 12, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payment with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 825,750.00** to be paid from 2005 State Revolving Funds. This expense is a reimbursement to the Fort Wayne Municipal Sewage Works for payments made to Hagerman Construction and Tower Bank on the WPCP Dechlorination Project – W.O. 75003.

Draw #63	Fort Wayne Municipal Sewage Works	$825,750.00
	Total SRF Payment	**$825,750.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

September 20, 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: September 12, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payment with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 1,064,002.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742.

Draw #64	Barton Malow Co. & National City Bank	$ 1,064,002.00
	Total SRF Payment	**$ 1,064,002.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

September 20, 2006
Date

6

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: September 13, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2002**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 6,500.00** to be paid from 2002 State Revolving Funds. This expense is for the WPCP Headworks project – W.O. 74595.

Draw #152	Vulcan Industries	$ 6,500.00
Total SRF Payments		**$ 6,500.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

September 20, 2006
Date

BELLAIRE DRIVE WATER MAIN EXTENSION
RESOLUTION NO. 1908-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 900 LF of 6" PVC DR18 water main with appurtenances to serve 9 residential properties along Bellaire Drive between Northridge Road and Getz Road.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "Bellaire Drive Water Main Extension."

Declares the cost of the said improvements shall be paid by the funds from the property owners (Barrett Law) and the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no costs associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's cost for materials is $25,000.

Declares that Water Maintenance & Service crews will construct the water main extension at an estimated cost of $15,000.

Declares the maximum fee to be collected from the affected property owners are those shown on the Attachment "A".

APPROVED THIS 27th DAY OF September, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

09/12/06

EXHIBIT A Cost Allocation Spreadsheet

Water Main Extension Petition Project Location: BELLAIRE DRIVE

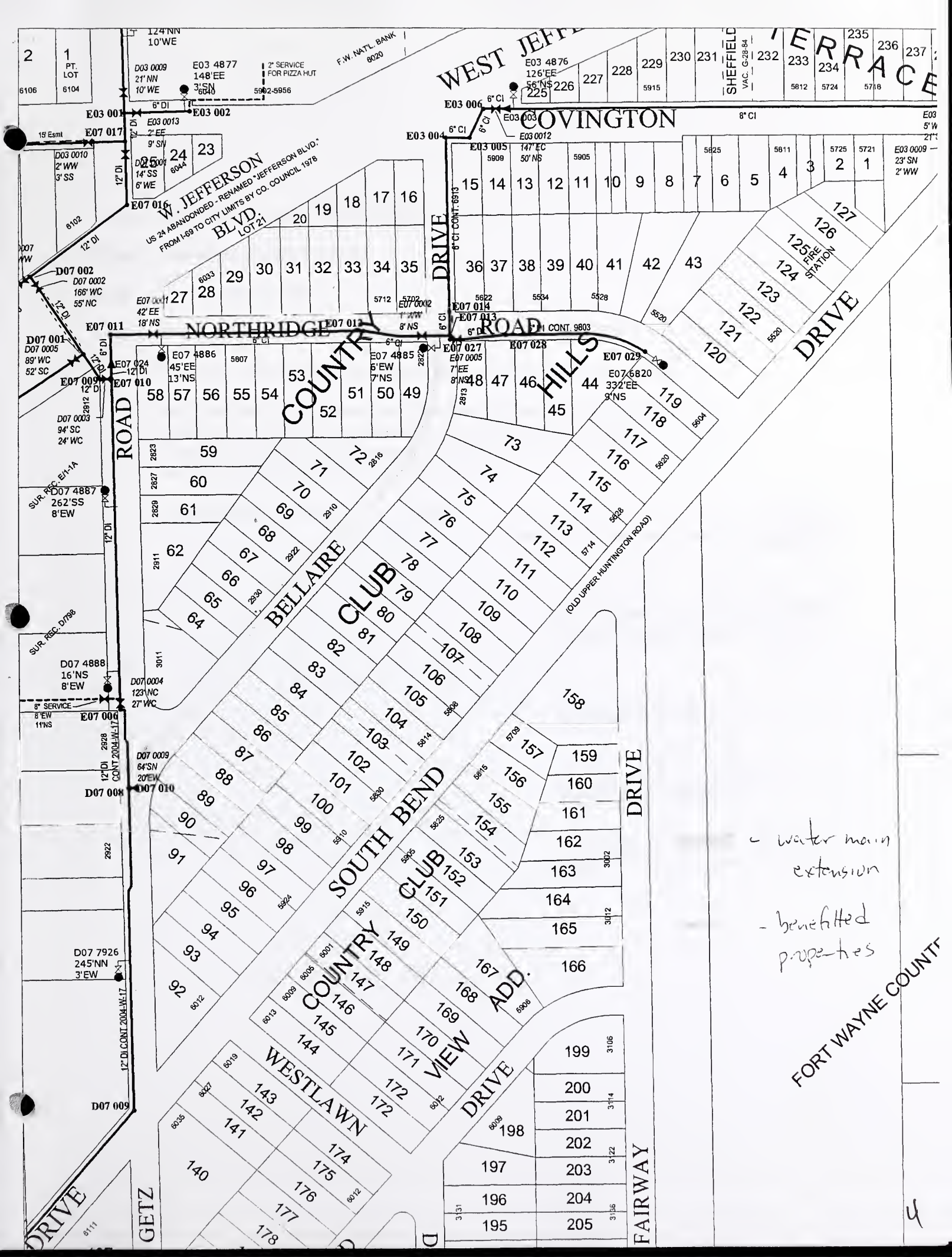
Work Order: 65657

Parcel	Property Owner	Key Number	Property Address	No. of Taps	No. of Units	Unit Cost	P.O. Cost	City Utilities Cost	Total Property Cost	Comments
A	Vernon & Judy Smith	30-2410-0049	2802 Bellaire Drive	0	0	$2,100	$0	$0	$0	Property already has access to water
B	Perry Kay Short	30-2410-0048	2813 Bellaire Drive	0	0	$2,100	$0	$0	$0	Property already has access to water
C	Donald & Marilyn Blough	30-2410-0073	2815 Bellaire Drive	0	1	$2,100	$2,100	$677	$2,777	Property connected via Temp Service Agree. Will be assessed
D	Carolyn Godsell	30-2410-0072	2816 Bellaire Drive	0	1	$2,100	$2,100	$677	$2,777	Property connected via Temp Service Agree. Will be assessed
E	Kimbol & Emma Neal	30-2410-0076	2825 Bellaire Drive	1	1	$2,100	$2,100	$677	$2,777	
F	Wiley & Isabelle Shockney	30-2410-0070	2910 Bellaire Drive	1	1	$2,100	$2,100	$677	$2,777	
G	John & Helene Root	30-2410-0080	2919 Bellaire Drive	1	1	$2,100	$2,100	$677	$2,777	
H	Violet Derloshon	30-2410-0067	2922 Bellaire Drive	1	1	$2,100	$2,100	$677	$2,777	
I	Pamela Aschliman	30-2410-0065	2930 Bellaire Drive	0	0	$2,100	$0	$0	$0	Property already has access to water
J	Ralph & Elma Niman	30-2410-0083	2931 Bellaire Drive	1	1	$2,100	$2,100	$677	$2,777	
K	Lynn & Sharon Scrogham	30-2410-0085	3009 Bellaire Drive	1	1	$2,100	$2,100	$677	$2,777	
L	James & Rieta Mae Prater	30-2410-0087	3019 Bellaire Drive	1	1	$2,100	$2,100	$677	$2,777	
M										
N										
			sub-totals	7	9		$18,900	$6,093	$24,993	

BELLAIRE DRIVE WATER EXTENSION

TIMELINE

1	Documents (Imp Res, cost allocation spreadsheet, notice for newspapers) to BOW & Barrett	September 13
2	Improvement Resolution to BOW	September 27
3	Notice in Paper	September 29
4	Initial Public Hearing	October 11
5	10-day remonstrance periods ends	October 21
6	WM&S can begin construction	October 23


WEST JEFFERSON TERRACE
COVINGTON
W. JEFFERSON BLVD.
US 24 ABANDONDED - RENAMED "JEFFERSON BLVD." FROM I-69 TO CITY LIMITS BY CO. COUNCIL 1978
LOT 21
NORTHRIDGE ROAD
COUNTRY HILLS DRIVE
BELLAIRE CLUB DRIVE
SOUTH BEND CLUB DRIVE
COUNTRY ADD.
WESTLAWN VIEW DRIVE
GETZ ROAD
FAIRWAY DRIVE
(OLD UPPER HUNTINGTON ROAD)
SHEFFIELD
VAC. G-28-84
FIRE STATION
F.W. NAT'L. BANK
8020
- water main extension
- benefitted properties
FORT WAYNE COUNTR
4

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: October 4, 2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $45,056.00 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Nowak Supply Co., Inc.	PR #38	45,056.00
Total for Payment Requests		**$ 45,056.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

October 4, 2006
Date

PURCHASE AGREEMENT
2124 Winch St.

Resolution #93-7-19-06-1

The Fort Wayne Board of Public Works:

Approves the purchase of 2124 Winch St. be awarded to Robert L. Underwood per his bid of $150.00.

APPROVED THIS 4th DAY OF October, 2006

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan P. Chasey, Member

ATTEST BY:

_____
Marilyn Huth, Clerk

BID FORM FOR SALE OF
(2124 WINCH STREET)

To: Fort Wayne Board of Public Works
One East Main Street
Room 420 City-County Building
Fort Wayne, Indiana 46802

The undersigned hereby offers to purchase for the sum of $ $150.00 in accordance with the Paragraphs below, the real estate (vacant lot) located AT 2124 Winch Street, the legal description of which is Lot 21 and E 20' Lot 22 Whites 2nd Addition to E Wayne, Wayne Township, Allen County, Indiana.

1) PURCHASE PRICE
The entire purchase price shall be paid in cash, cashiers check or money order.

2) In submitting his/her bid, bidder represents that this bid is genuine and not made in interest of or on behalf of any undisclosed person, firm, or corporation, and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation: bidder has not directly or indirectly induced or solicited any other bidder to submit a false or sham bid: bidder has not solicited or induced any person, firm, or corporation to refrain from bidding: and bidder has not sought collusion to obtain for himself/herself any advantage over any other bidder or over owner.

3) The Real Estate, its improvements, fixtures and utility systems, and any personal property included in this sale are being sold in "AS IS" condition, without warranty of any kind from Seller, either express or implied.

IN WITNESS WHEREOF, the undersigned has subscribed his/her name this 7 **day of** Sept., **2006.**

R Underwood

Signature

ROBERT L. UNDERWOOD

Printed Name

ROBERT UNDERWOOD
10303 CALVERTON PASS
FORT WAYNE, IN 46825

Organization

Title

22

AWARD: Resolution #93-9-13-06-1, 2006 Fire Truck Lease Financing to Chase Equipment Leasing in the amount of $2,750,000.00.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Date: October 4, 2006

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez

John Suarez, Member

Ryan P. Chasey

Ryan P. Chasey, Member

ATTEST: Marilyn Huth

Marilyn Huth, Clerk

Principal Amount: $ 2,750,000

SEMI-ANNUAL PAYMENTS

	BID BOND INCL	INT RATE	RATE EXPIR	CARRYING CHARGES 10/16/06-1/15/07	# OF PYMTS	STATED SEMI-ANNUAL PAYMENT	CALCULATED TOTAL PAYMENTS	STATED TOTAL PAYMENTS	TOTAL PYMTS INCL CARYNG CHRGS	TOTAL COST OF FINANCING	
Banc of America	YES	3.680%	11/15/2006	$0.00	14	$222,579.26	$3,116,109.64	$3,116,109.61	$3,116,109.64	$366,109.64	FIXED-5 yr treasury x.65 plus 74 basis points
Chase Equipment Leasing	**YES**	**3.555%**	**10/16/2006**	$0.00	**14**	**$221,640.71**	**$3,102,969.94**	$3,102,969.92	**$3,102,969.94**	**$352,969.94**	Lessors cost of funds
Fifth Third Bank	YES	3.947%		$0.00	14	$224,562.38	$3,143,873.32	$3,143,873.32	$3,143,873.32	$393,873.32	
First Southwest Leasing Company	YES	4.100%	10/25/2006	$0.00	14	$225,640.48	$3,158,966.72	$3,158,966.72	$3,158,966.72	$408,966.72	
GE Capital Public Finance	YES	4.500%		$0.00	14	$227,020.62	$3,178,288.68	$0.00	$3,178,288.68	$428,288.68	Rate adjusts up to funding date. NO amortization schedule.
National City	YES	4.080%	10/16/2006	$0.00	14	$225,512.09	$3,157,169.26	$3,157,169.26	$3,157,169.26	$407,169.26	Reserves right to adjust the interest rate to maintain the original spread
Wells Fargo	YES	4.210%	10/25/2006	$0.00	14	$226,452.36	$3,170,333.04	$3,170,333.04	$3,170,333.04	$420,333.04	

	Equipment:		
6	Triple Combo Pumpers	289,900	1,739,400
1	Mid Mount Aerial Truck	714,000	714,000
	Miscellaneous Equipment	220,000	220,000
	Contingency		76,600

GENERAL OPEN-CUT SEWERS 2006
RESOLUTION NO. 1814-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform point repairs of damaged sewer pipe in sporadic areas of the city by means of open cut excavation as indicated in the project documents and drawings.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **General Open-Cut Sewers 2006**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $273,000.00.

APPROVED THIS 17th DAY OF October, 2006

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: October 2, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 1,771,042.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742, Parkerdale Sanitary Sewer – W.O. 74750 and the WPCP Dechlorination Project – W.O. 75003.

Draw #65	Barton Malow Co. & National City Bank	$ 1,440,229.00
Draw #66 & #69	CH2M Hill	66,745.00
Draw #67 & #70	Donohue & Assoc.	31,315.00
Draw #68	Geiger Developing & Tower Bank	132,212.00
Draw #71	Hagerman, Inc. & Tower Bank	100,541.00
	Total SRF Payments	**$ 1,771,042.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

October 11, 2006
Date

AUTHORIZATION FOR RELEASE OF ESCROW

The undersigned Contractor hereby requests the City of Fort Wayne Board of Public Works (Escrow Agent) to advance to the Contractor the sum of One Thousand Nine Hundred Twenty-Four Dollars and Sixty-Five Cents ($1,924.65). This is pursuant to Article 3 of the Construction Contract dated October 26, 2005.

FULL RELEASE OF ESCROW FOR Water Pollution Control Maintenance Office Renovation Construction Contract PROJECT.

ACCOUNT # _____

RESOLUTION # 92-9-28-05-01

OWNER:

CITY OF FORT WAYNE

BY: BOARD OF PUBLIC WORKS

Regina A. Kostoff

Regina Kostoff, Chair

John Suarez

John Suarez, Member

_____

Ryan Chasey, Member

October 18, 2006

Date

CONTRACTOR:

STREBIG CONSTRUCTION, INC.

BY:

Deb Parkinson

Deb Parkinson, Office Manager

A RESOLUTION approving the sale of
real estate owned by the City of
Fort Wayne.

Resolution # 93-10-18-06-2

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of property located at 1421 E. Wallace Street more particularly described as:

E 1FT LOT 16 ALL LOTS 17 & 18 HANNA CREIGHTON SUB SEC 2

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to sell the above-named property, following all applicable state statutes.

Signed this 18th day of October, 2006.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

****** REAL PROPERTY MASTER FILE CHANGE 2005 PAY 2006 ******

KEY NUMBER: 02-12-12-427-005.500-374 / 93-2925-5018
TAX CODE =

OWNER NAME/ADDRESS
FORT WAYNE CITY OF

1 E MAIN ST
FORT WAYNE, IN 46802 1804

LEGAL DESCRIPTION
E 1FT LOT 16
ALL LOTS 17 & 18
HANNA CREIGHTON SUB SEC 2

PROP ADD HOUSE #: 01500 DIR: E
STREET : WALLACE ST (BLK OF)
ZIP CODE: 46803
DEED: REF#: 00G451 TRNDAT: 03201973
ACTIVITY DATES: 10082004 06152004
R LAND: 000000000 HOMESTEAD YR = 0000
NR LAND: 000000000 HOME FLAG: N - 00000
TL LAND: 000000000 ACRES: 0.00
R IMPV: 000000000 USE CODE: 640
NR IMPV: 000000000
TL IMPV: 000000000

DRAIN INFORMATION

	NUMBER	ACRES	AMOUNT
01	0000000	0.00	0.00
02	0000000	0.00	0.00
03	0000000	0.00	0.00
04	0000000	0.00	0.00
05	0000000	0.00	0.00
06	0000000	0.00	0.00
07	0000000	0.00	0.00
08	0000000	0.00	0.00

XMPT	CTL#	BK#	PG1	PG2
000000000	00000	00000	000	000
000000000			0	
000000000	RECONSTRUCTION INFO			
000000000	00000000		0.00	
	00000000		0.00	

IMPROVEMENT RESOLUTION NO. 93-10-18-06-1

SCIENCE CENTRAL RETAINING WALL DEMOLITION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve property around the Science Central Building including the demolition of the concrete retaining wall along Elizabeth Street and North Clinton Street. New landscaping will also be provided.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted this 18th day of October, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

A RESOLUTION approving the sale of
real estate owned by the City of
Fort Wayne.

Resolution # 93-10-18-06-2

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of property located at 1421 E. Wallace Street more particularly described as:

E 1FT LOT 16 ALL LOTS 17 & 18 HANNA CREIGHTON SUB SEC 2

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to sell the above-named property, following all applicable state statutes.

Signed this 18th day of October, 2006.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

****** REAL PROPERTY MASTER FILE CHANGE 2005 PAY 2006 ******

KEY NUMBER: 02-12-12-427-005.500-374 / 93-2925-5018
TAX CODE =

OWNER NAME/ADDRESS
FORT WAYNE CITY OF

1 E MAIN ST
FORT WAYNE, IN 46802 1804

LEGAL DESCRIPTION
E 1FT LOT 16
ALL LOTS 17 & 18
HANNA CREIGHTON SUB SEC 2

PROP ADD HOUSE #: 01500 DIR: E
STREET : WALLACE ST (BLK OF)
ZIP CODE: 46803
DEED: REF#: 00G451 TRNDAT: 03201973
ACTIVITY DATES: 10082004 06152004
R LAND: 000000000 HOMESTEAD YR = 0000
NR LAND: 000000000 HOME FLAG: N - 00000
TL LAND: 000000000 ACRES: 0.00
R IMPV: 000000000 USE CODE: 640
NR IMPV: 000000000
TL IMPV: 000000000

DRAIN INFORMATION

	NUMBER	ACRES	AMOUNT
01	0000000	0.00	0.00
02	0000000	0.00	0.00
03	0000000	0.00	0.00
04	0000000	0.00	0.00
05	0000000	0.00	0.00
06	0000000	0.00	0.00
07	0000000	0.00	0.00
08	0000000	0.00	0.00

XMPT	CTL#	BK#	PG1	PG2
000000000	00000	00000	000	000
000000000			0	
000000000	RECONSTRUCTION INFO			
000000000	00000000		0.00	
	00000000		0.00	

12

EMERGENCY RESOLUTION NUMBER 93-10-25-06-1
BREMER ROAD EMERGENCY REPAIR

WHEREAS, an existing 12" RCP sanitary sewer line has collapsed along Bremer Road and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 12" RCP sanitary sewer line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Robinson Trenching, Miller Brothers, and Fleming Exc., were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 25th day of October, 2006.

BOARD OF PUBLIC WORKS

By Regina A. Kostoff
Regina Kostoff, Chair

By Ryan P. Chasey
Ryan P. Chasey, Member

By John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BREMER ROAD
SANITARY SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Remove and replace 404 LFT (+/-) of existing 12" RCP sanitary sewer line, including any service taps, by the pipe bursting method. Repair and replace existing street and roadway, including any curbs, gutters, inlets, storm lines, etc., if necessary. The removal and replacement of any signs, if necessary. Bremer Road is a dead end road with industries, it is to remain open at all times, with maximum of only one lane closed. All restoration is included in the cost. This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to excavate and remove materials from the jobsite, sheeting, trench stabilization, saw cutting of asphalt or concrete, any required bypass pumping and/or trench dewatering, resetting of existing drive pipes, removal and replacement of asphalt road, removal and replacement of any and all incoming pipes, proper backfilling and proper compaction, use of flowable fill, any and/or all costs to pipe burst (Contractor may use either SDR 17 HDPE or SDR 11 HDPE pipe), repair of manholes, replacement of manholes, restoration of manholes and all surface restoration necessary to restore the disturbed area to the existing condition or better. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual
2. Payment Bond
3. Performance and Guaranty Bond
4. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
5. Contractor shall be required and responsible for placing and maintaining temporary barricades.
6. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.
9. Contractor is to submit Monthly Payrolls and Manpower reports to the City Compliance Office Room 420.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition, at no extra cost.

BREMER ROAD
SANITARY SEWER EMERGENCY REPAIRS

BASE BID:
ITEM NO. 1 All costs to complete all work to pipe burst the existing 404 lft. (+/-) of 12" RCP sanitary sewer line. Remove and replace all connected pipes.

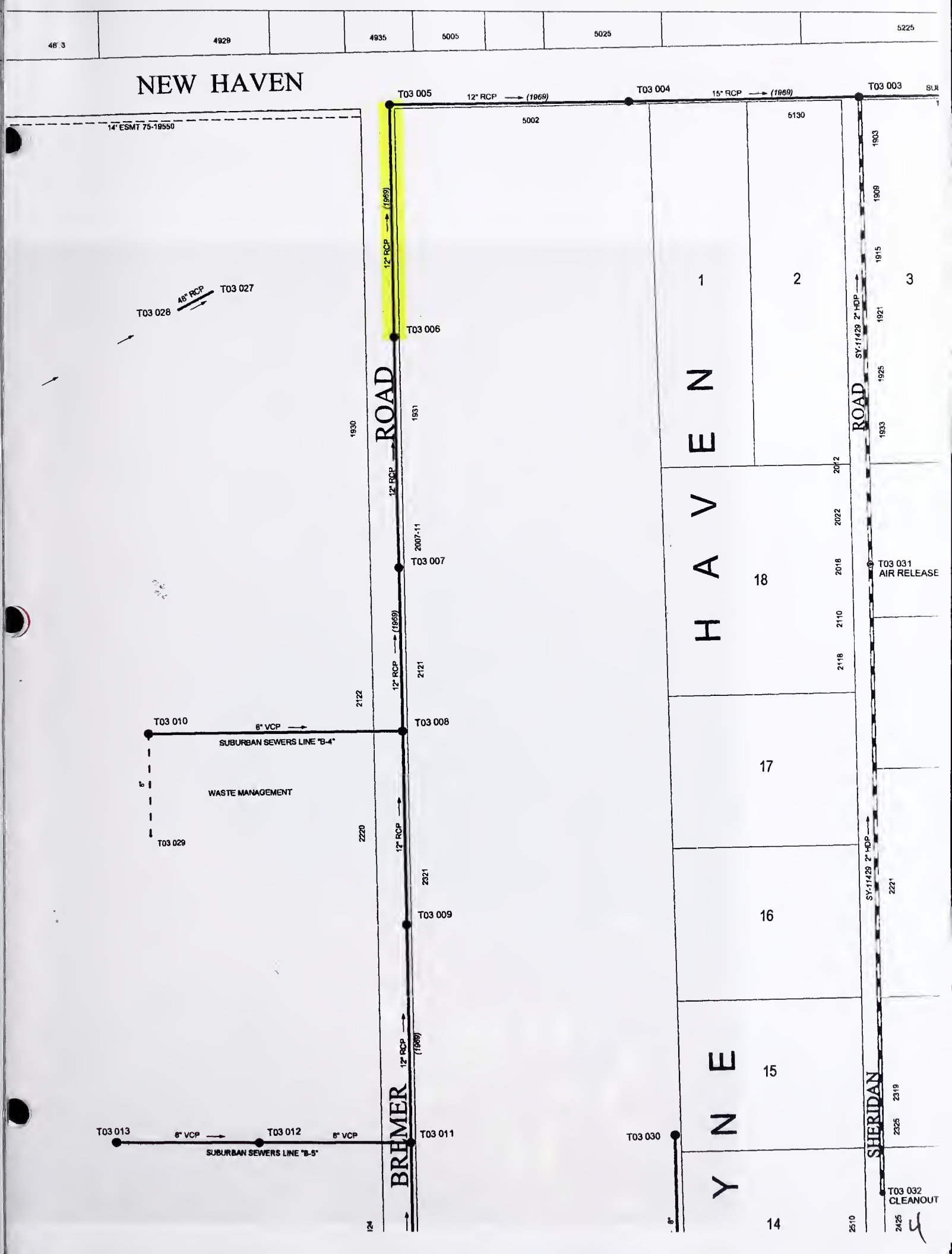
LUMP SUM **$**_____

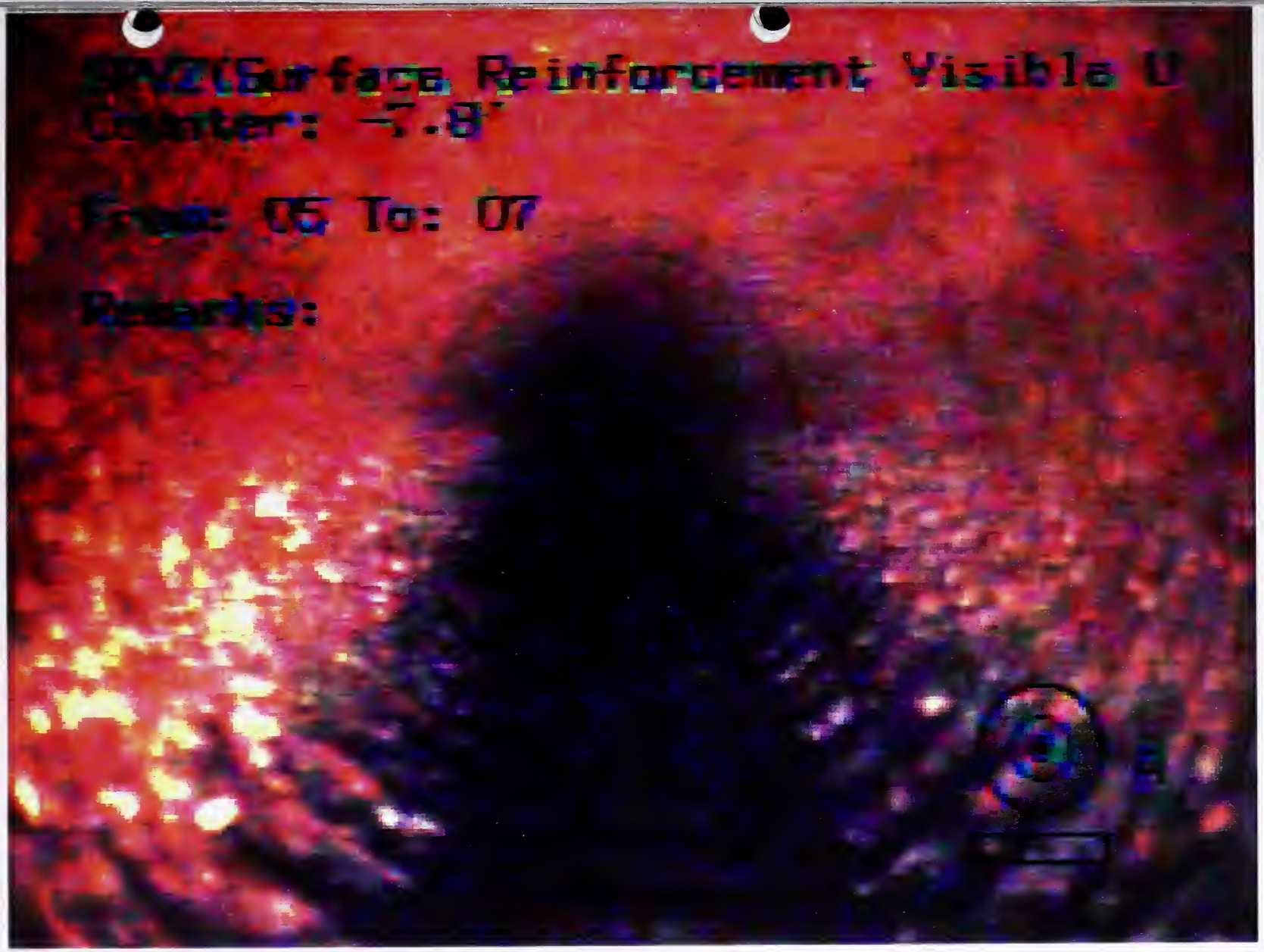
The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2006.

FROM_____
Contractor

BY_____


NEW HAVEN
4613
4929
4935
5005
5025
5225
T03 005
12" RCP (1969)
T03 004
15" RCP (1969)
T03 003
5002
5130
14' ESMT 75-19550
12" RCP (1969)
T03 027
48" RCP
T03 028
T03 006
1930
BREMER ROAD
1931
12" RCP
2007-11
T03 007
12" RCP (1969)
2121
2122
T03 010
6" VCP
T03 008
SUBURBAN SEWERS LINE "B-4"
WASTE MANAGEMENT
T03 029
2220
12" RCP
2321
T03 009
12" RCP (1969)
T03 013
6" VCP
T03 012
6" VCP
T03 011
SUBURBAN SEWERS LINE "B-5"
124
1
2
3
1903
1909
1915
1921
1925
1933
SY-11429 2" HDP
SHERIDAN ROAD
2012
2022
2018
2110
2118
18
17
16
15
14
T03 031
AIR RELEASE
2221
2319
2325
T03 030
T03 032
CLEANOUT
2425
2510
4


Surface Reinforcement Visible U
Counter: -7.8'
From: 05 To: 07
Remarks:

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: October 20, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 1,240,065.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742, Parkerdale Sanitary Sewer – W.O. 74750 and the WPCP Dechlorination Project – W.O. 75003.

Draw #72	Barton Malow Co. & National City Bank	$ 909,737.00
Draw #73 & #76	CH2M Hill	76,587.00
Draw #74 & #77	Donohue & Assoc.	31,968.00
Draw #75	Geiger Developing & Tower Bank	28,474.00
Draw #78	Hagerman, Inc.	193,299.00
	Total SRF Payments	**$ 1,240,065.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

October 25, 2006
Date

IMPROVEMENT RESOLUTION NO. 7110-06

ABBOTT STREET: OXFORD STREET TO DREXEL AVENUE
WORK ORDER NO. 11977

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: CONCRETE PAVEMENT RECONSTRUCTION, DRIVE APPROACHES, SIDE WALKS, 6" SUBSURFACE DRAINAGE, SEED AND MULCH RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 18th day of October, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: ABBOTT STREET RES. NO.: 7110-06

DATE: OCTOBER 20, 2006 W.O. NO.: 11977.00

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Pavement	1000	SY	6.50	6500.00
2.	Cement Concrete Pavement, Plain (6") #9 Bag With 1% Calcium	1000	SY	29.00	29000.00
3.	Removal of Concrete	90	SY	5.50	495.00
4.	Concrete Pavement for Residential Drive (6") #9 Bag With 1% Calcium	60	SY	30.00	1800.00
5.	Concrete Sidewalk (4")	20	SY	24.00	480.00
6.	Common Excavation, Poor Soils Only	50	SY	14.00	700.00
7.	Top Soil	25	TON	16.00	400.00
8.	Mulched Seeding,	220	SY	1.50	330.00
9.	Fertlize Tree	2	EA	75.00	150.00
10.	Backfill Behind Curb (Borrow)	40	TON	6.00	240.00
11.	Bed Course Material	25	TON	12.00	300.00
12.	Valve Box Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	1	EA	35.00	35.00
13.	Furnish Valve Box and Adjust to Grade (If Broken / Deteriorated)	1	EA	100.00	100.00
14.	Castings Adjusted to Grade	5	EA	200.00	1000.00
15.	Concrete Wingwalk & Ramps (6"), Only If Damaged	10	SY	45.00	450.00
16.	Type "O" Compacted Aggregate for Base, No.53	275	TON	16.00	4400.00
17.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	870	LF	11.00	9570.00
18.	Construction Signs, Type A With Construction Warning Light Type A	2	EA	80.00	160.00
19.	Standard Barricade, Type II Type C Const. Warning Light, or Barrels	15	EA	30.00	450.00
20.	Standard Barricade, Type III - B	4	EA	135.00	540.00
21.	Maintenance of Traffic	1	EA	3200.00	3200.00
22	Mobilization / Demobilization	1	EA	4000.00	4000.00

SUB-TOTAL:	64300.00
E&I @16%	10288.00
TOTAL:	**$74,588.00**

#93-9-13-06-1

BILL NO. S-06- 10-05

SPECIAL ORDINANCE NO. S-128-06

AN ORDINANCE designating the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana; approving the lease of various vehicles and equipment items by the City of Fort Wayne; approving a form of lease; authorizing acceptance of a lessor; and approving other actions with respect thereto.

WHEREAS, the City of Fort Wayne, Board of Public Works needs to acquire various vehicles and equipment items for use by the City of Fort Wayne Fire Department for continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated the leasing of various vehicles and equipment items and has let bids therefore; and

WHEREAS, various bids have been let for the acquisition of various equipment items; and

WHEREAS, Common Council approval of the acquisition of said various vehicles was given through the passage of Special Ordinance No. S-04-05-01 on May 25, 2004; and

WHEREAS, this Common Council now deems it in the public interest to lease said various vehicles and equipment items rather than purchase said items; and

WHEREAS, sufficient net revenues are available from the City to make lease rental payments on a timely basis as required for the leasing of various vehicles and equipment items; and

WHEREAS, a form of lease with option to purchase has been reviewed and is deemed appropriate for the lease of said various vehicles and equipment items by the City; and

8

WHEREAS, notices have been published requesting proposals from lessors to acquire the various vehicles and equipment items and to lease same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the execution of said lease will permit the use and acquisition of said various vehicles and equipment items within the present financial capabilities of the City and therefore same is in the public interest, and

WHEREAS, prior approval has been received from Common Council on October 10, 2006 for designating the Board of Public Works as leasing agent, approving the lease of various vehicles and equipment items; approving a form of lease; authorizing acceptance of a lessor; and approving other actions with respect thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. This Common Council finds that the Board of Public Works should be and hereby is designated as the leasing agent for the City of Fort Wayne, Indiana, for the transaction herein contemplated.

SECTION 2. The Common Council of the City of Fort Wayne hereby authorizes the City to lease, as lessee, those various vehicles and equipment items listed on the attached Exhibit "A", made a part hereof. It is understood that the exact lessor purchase costs for such various vehicles and equipment items listed on the Exhibit "A" shall be determined in accordance with bidding procedures of this City and accordingly subject to approval by this Common Council; however, the gross cost for such purchases excluding financing costs shall not exceed Two Million Seven Hundred Fifty Thousand and no/100 Dollars ($2,750,000).

SECTION 3. The form of the lease, with option to purchase for said lease is attached hereto as a part hereof, as Exhibit "B". This form of lease, with option to purchase, shall be used by the City for the transactions herein contemplated and said form of lease is hereby approved and ratified. This lease form may be modified only to the extent that such modifications are not material in form or consideration. Authority is hereby given for the

Board of Public Works to enter into the lease upon the determination by the Corporation Counsel.

SECTION 4. The Board of Public Works of the City of Fort Wayne is hereby empowered and authorized to award lessor rights to the most responsive and responsible bidder.

SECTION 5. The Mayor and the Board of Public Works are empowered and authorized to execute, on behalf of the City, leases and other documents as contemplated herein with lessor so selected.

SECTION 6. This ordinance shall be in full force and in effect from and after its passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Timothy A. Manges, City Attorney

10

Read the first time in full and on motion by Talarico Jr. ,and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____,the _____,day of _____, 2006, at _____,o'clock _____M.,E.S.T.

DATED: 10-10-06

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Talarico, Jr. , and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	8			1
CRAWFORD				✓
DIDIER	✓			
HAYHURST	✓			
HINES	✓			
PAPE	✓			
SCHMIDT	✓			
SHOAFF	✓			
SMITH	✓			
TALARICO, JR.	✓			

DATED: 10-24-06

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION) (APPROPRIATION)~~ (GENERAL) (SPECIAL) ~~(ZONING)~~ ORDINANCE ~~(RESOLUTION)~~ NO. S-128-06 on the 24th day of October, 2006

ATTEST: SEAL

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

John N. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 2006, at the hour of 1:30 o'clock P. M,E.S,T.

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28TH day of OCTOBER 2006, at the hour of 1:10 o'clock P M.,E.S.T.

Graham A. Richard
GRAHAM A. RICHARD, MAYOR

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: November 1, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $29,560.63 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

DELL Marketing	PR #14	27,426.22
ASAP	PR #14	1,802.36
CDW Government	PR #14	332.05
	Total for Payment Request	**$ 29,560.63**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

November 1, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: November 1, 2006

RE: 2006 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $323,002.84 to be paid from the proceeds of the 2006 Passenger Vehicle Lease Financing which are held in an escrow at JP Morgan Trust Company.

Payment Request #12

Mavron, Inc	10,989.00
Motorola	307,969.00
Imaging Office Solutions	3,501.90
Tessco	542.94
Total for Payment Request	**$ 323,002.84**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

November 1, 2006
Date

A RESOLUTION approving the construction of a Law Enforcement/Firefighters Memorial.

#93-11-1-06-2

WHEREAS, On October 19, 2005 the Board of Public Works granted Law Enforcement/Firefighters, Inc. a License Agreement to construct a Memorial for law enforcement and firefighters who have given their lives in the service to their community.

WHEREAS, The construction of said Memorial was subject to appropriate approval by all planning agencies.

WHEREAS, All appropriate planning agencies have given their approval.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby approves the construction of the above named Memorial.

Signed this 1st day of November, 2006.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

WATER MAIN OWNERSHIP TRANSFER
2511 TAYLOR STREET

RESOLUTION NO. 93-11-1-06-1

WHEREAS, an existing 8" City Utilities water main is located in the abandoned right of way of Townsend Street in southeast Fort Wayne, more specifically described as follows:

> Beginning at an 8" service valve located 30 feet south of the South Right of Way of Taylor Street and 30 feet east of the East Right of Way of the abandoned Townsend Street and continuing south 590 feet more or less along the East Right of Way of the abandoned Townsend Street to the south end of the 8" water main.

WHEREAS, the property located at 2511 Taylor Street is owned by KESEF Associates (Omni Source) is the sole customer connected to said 8" water main and there is no other potential for additional customers to connect to the 8" water main; and,

WHEREAS, the entire 590 feet of 8" water main lies on the KESEF Associates property; and,

WHEREAS, existing buildings on the property encroach upon the existing 8" water main and future, proposed buildings will also encroach upon the existing 8" water main; and

WHEREAS, KESEF Associates has provided a written agreement to accept, for itself, its successors and assigns perpetual ownership, operation, maintenance and repair responsibilities of the existing 8" water main to be used for their own private use and enjoyment; and,

WHEREAS, Water Resources is agreeable to the transfer of ownership, operation, maintenance and repair responsibilities of said 8" water main to KESEF Associates to avoid the need to relocate said 8" water main away from existing and proposed building encroachments.

NOW, THEREFORE, the Board of Public Works hereby transfers ownership, operation, repair and maintenance responsibilities of the aforementioned existing 8" water main to KESEF Associates and its successors and assigns. The Board of Public Works further declares that the described water facility shall be reclassified by City Utilities as a private 8" water service serving the property located at 2511 Taylor Street in Fort Wayne, Indiana.

WATER MAIN OWNERSHIP TRANSFER
2511 TAYLOR STREET

RESOLUTION NO. 93-11-1-06-1

WHEREAS, an existing 8" City Utilities water main is located in the abandoned right of way of Townsend Street in southeast Fort Wayne, more specifically described as follows:

> Beginning at an 8" service valve located 30 feet south of the South Right of Way of Taylor Street and 30 feet east of the East Right of Way of the abandoned Townsend Street and continuing south 590 feet more or less along the East Right of Way of the abandoned Townsend Street to the south end of the 8" water main.

WHEREAS, the property located at 2511 Taylor Street is owned by KESEF Associates (Omni Source) is the sole customer connected to said 8" water main and there is no other potential for additional customers to connect to the 8" water main; and,

WHEREAS, the entire 590 feet of 8" water main lies on the KESEF Associates property; and,

WHEREAS, existing buildings on the property encroach upon the existing 8" water main and future, proposed buildings will also encroach upon the existing 8" water main; and

WHEREAS, KESEF Associates has provided a written agreement to accept, for itself, its successors and assigns perpetual ownership, operation, maintenance and repair responsibilities of the existing 8" water main to be used for their own private use and enjoyment; and,

WHEREAS, Water Resources is agreeable to the transfer of ownership, operation, maintenance and repair responsibilities of said 8" water main to KESEF Associates to avoid the need to relocate said 8" water main away from existing and proposed building encroachments.

NOW, THEREFORE, the Board of Public Works hereby transfers ownership, operation, repair and maintenance responsibilities of the aforementioned existing 8" water main to KESEF Associates and its successors and assigns. The Board of Public Works further declares that the described water facility shall be reclassified by City Utilities as a private 8" water service serving the property located at 2511 Taylor Street in Fort Wayne, Indiana.

Adopted, this 1st day of November, 2006.

BOARD OF PUBLIC WORKS

Regina A. Kostoff
Chair

John Suarez
Member

Ryan P. Chasey
Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

OmniSource Corp.

Memo

To: Rick Seals

From: Jim Ehlinger

CC:

Date: 10/5/2006

Re: Waterline Ownership Letter

Mr. Seals,

Please review the enclosed letter from Kesef Associates (an OmniSource company). If the proposal is acceptable, sign one copy and return it in the envelope provided. If you have any questions, please contact me. Thank you your assistance with this matter.

Sincerely,

Jim Ehlinger

Ph. 423-8514

October 3, 2006

KESEF

ASSOCIATES
1610 N. CALHOUN ST.
FORT WAYNE, INDIANA 46808

Attn: Mr. Rick Seals
Water Resources Department
One Main Street, Room 480
Fort Wayne, IN. 46802-1804

RE: Ownership of 8" waterline at 2511Taylor St. Fort Wayne, IN. 46802

KESEF Associates proposes to assume ownership of a City-owned 8" water line located at 2511 Taylor Street. Said waterline starts at the service valve on the South side of Taylor Street, East of the intersection of Taylor and Junk Ditch and runs South onto Kesef Associates property, under the vacated Townsend Street. Kesef Associates will assume all responsibility associated with the ownership, repair and maintenance of said waterline.

Please transfer the ownership of this waterline at 2511 Taylor St. Fort Wayne, IN. 46802 from the City of Fort Wayne to KESEF Associates by returning a signed copy of this proposal. KESEF Associates will assume ownership responsibility with the receipt of the proposal. If you have any questions, please contact Jim Ehlinger, OmniSource Corp. at 423-8514.

Accepted by:

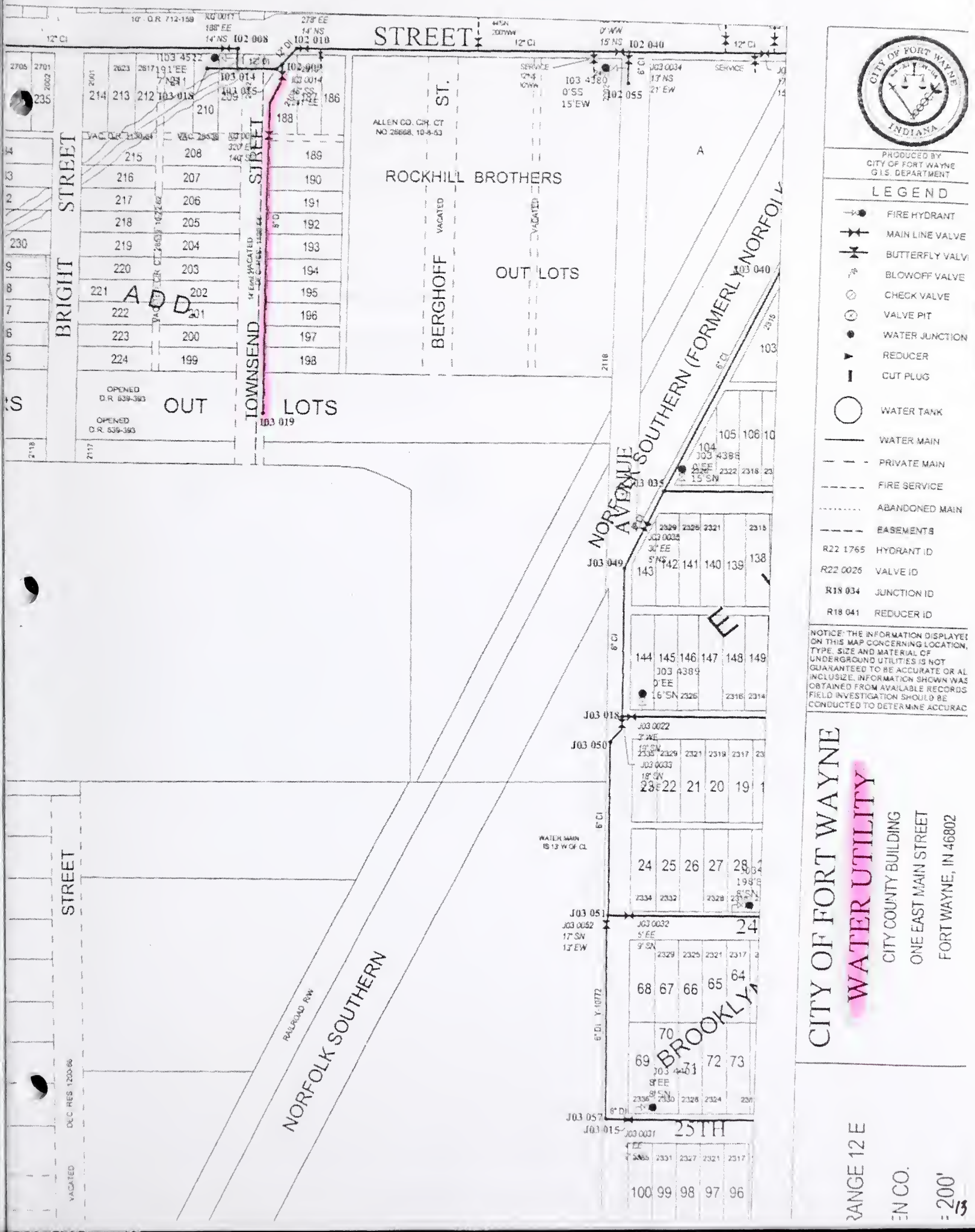
Marty [redacted] Rifkin
Kesef Associates

10/3/06
Date

Accepted by:

Rick Seals, Water Resources Dept.
City of Fort Wayne

Date



PRODUCED BY
CITY OF FORT WAYNE
G.I.S. DEPARTMENT

LEGEND

- FIRE HYDRANT
- MAIN LINE VALVE
- BUTTERFLY VALVE
- BLOWOFF VALVE
- CHECK VALVE
- VALVE PIT
- WATER JUNCTION
- REDUCER
- CUT PLUG
- WATER TANK
- WATER MAIN
- PRIVATE MAIN
- FIRE SERVICE
- ABANDONED MAIN
- EASEMENTS
- R22 1765 HYDRANT ID
- R22 0026 VALVE ID
- R18 034 JUNCTION ID
- R18 041 REDUCER ID

NOTICE: THE INFORMATION DISPLAYED ON THIS MAP CONCERNING LOCATION, TYPE, SIZE AND MATERIAL OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR AL INCLUSIZE. INFORMATION SHOWN WAS OBTAINED FROM AVAILABLE RECORDS FIELD INVESTIGATION SHOULD BE CONDUCTED TO DETERMINE ACCURAC

CITY OF FORT WAYNE
WATER UTILITY
CITY COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, IN 46802

RANGE 12 E

EN CO.

1" = 200'

13

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: November 15, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $3,758.01 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

DELL Marketing	PR #15	2,392.83
ASAP	PR #15	1,182.89
DISYS	PR #15	182.29
	Total for Payment Request	**$ 3,758.01**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

November 15, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: November 15, 2006

RE: 2006 Financial System Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $131,585.05 to be paid from the proceeds of the 2006 Financial System Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

Tyler Technologies	PR #2	122,000.00
Tyler Technologies	PR #3	9,585.05
	Total for Payment Requests	**$ 131,585.05**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

November 15, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: November 15, 2006

RE: 2006 Fire Truck Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,731,129.78 to be paid from the proceeds of the 2006 Fire Truck Lease Financing which are held in an escrow at JP Morgan Trust Company.

American LaFrance	Req #1	1,730,791.26
Fort Wayne Newspapers		338.52
	Total for Request	**$ 1,731,129.78**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

November 15, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: November 15, 2006

RE: 2006 Fort Wayne Municipal Building Corp - Public Safety Academy

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $4,246,500.80 to be paid from the proceeds of the 2006 FWMBC - Public Safety Academy which are held in an escrow at LaSalle Bank.

Trustee Fee-LaSalle Bank	Req #1	1,600.00
Schenkel Shultz		138,032.99
Baker & Daniels		123,103.63
Crowe		78,250.00
Schenkel Shultz	Req #2	23,780.34
Infusion Inc.	Req #3	9,394.87
Sturtz Public Mgmt	Req #5	1,960.00
FW Newspapers		46.74
Project Mgmt Resources	Req #6	9,489.49
Schenkel Shultz		29,223.55
Patriot Range Technologies		52,156.40
Geotechnical & Materials Engineers	Req #7	7,881.22
Hagerman, Inc.		326,641.09
Acordia		16,880.00
Sturtz Public Mgmt	Req #8	3,797.50
Hagerman, Inc.	Req #9	2,355,700.12
Geotechnical & Materials Engineers		8,850.49
Hagerman, Inc.	Req #10	1,040,199.17
Sturtz Public Mgmt		3,795.00
MiCTA		200.00
Project Mgmt Resources		4,536.00
Geotechnical & Materials Engineers		10,982.20
	Total for Requests	**$ 4,246,500.80**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

November 15, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: November 15, 2006

RE: 2006 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $78,147.58 to be paid from the proceeds of the 2006 Passenger Vehicle Lease Financing which are held in an escrow at JP Morgan Trust Company.

Payment Request #14

Kelley Chevrolet	21,329.00
O'Daniel Ford, Inc.	54,439.00
Safety Solutions	2,379.58
Total for Payment Request	**$ 78,147.58**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

November 15, 2006
Date

THREE RIVERS FILTRATION PLANT
NORTH PUMP BUILDING AND ELECTRICAL BUILDING
RESOLUTION NO. 1680-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of a new finished water high service pumping station and a new main electrical building at the Three Rivers Filtration Plant (TRFP). Work also includes conversion of the TRFP primary electrical system to 4,160 volt, structural improvements to the finished water reservoir, and electrical upgrades to the existing west pumping station.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "THREE RIVERS FILTRATION PLANT - NORTH PUMP BUILDING AND ELECTRICAL BUILDING."

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (SRF BOND).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $17,200,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 15th DAY OF November, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Ryan P. Chasey
Ryan Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: November 13, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2002**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 4,391.00** to be paid from 2002 State Revolving Funds. This expense is for the WPCP Headworks project – W.O. 74595.

Draw #153	Vulcan Industries	$ 4,000.00
Draw #154	CH2M Hill Inc.	391.00
Total SRF Payments		**$ 4,391.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

November 22, 2006
Date

ELECTRICAL VFD'S FOR LIFTSTATIONS UPGRADE
RESOLUTION NO. 1867-2006

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Whereas, the Water Pollution Control Plant operations require reliable electrical facilities, and

Whereas, from a reliability standpoint the existing electrical equipment (Ronk three phase converter) at Hessen Cassel, Brandonwood, and Golfview are in need of replacement to avoid basement backups, and

Whereas, scope of work is beyond the capabilities of Water Pollution Control Plant O&M staff, and

Whereas, Votaw Electric's services has been retained due to the compatibility with our other lift stations where they have preformed this type of work, and

Therefore, the BOW authorizes City Purchasing to issue a purchase order for this project.

Declares the cost of the said improvements shall be paid by the funds from Fort Wayne Sewer Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $30,000.

APPROVED THIS 29th DAY OF November, 2006.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: _____
Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

APPEAL TO THE BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

Please accept this letter of appeal regarding the assessment on 8106 Park State Dr. under Resolution # 7077-2006 which was due on October 6, 2006.

I(we) neglected to return the signed waiver on time because:

I'm so sorry I just forgot to do this + get it Notorized. Please except my apology + this letter to make the monthly payments

I(we) would like your permission to be allowed to sign the waiver to pay the assessment over 10 years at 5 % interest.

Sincerely,

Tanya Branstrator
Signature

Tanya A Branstrator
Printed Name

Tanya Branstrator
Signature

TANYA BRANSTRATOR
Printed Name

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

12-2-06
Date

City of Fort Wayne

BL-0003870

BARRETT LAW
NUMBER ONE EAST MAIN STREET, ROOM 420
FORT WAYNE, IN 46802

NOTICE OF ASSESSMENT

Account No. 30213R002

BRANSTRATOR TANYA A

8106 PARK STATE DR
FORT WAYNE, IN46815

Approved Date: 9/6/2006
Barrett Number: 30213R
Resolution Number: 7077-06
Property Key: 02-08-26-379-001.000-072

8106 PARK STATE DR
PARK STATE EAST LOT 1

Your assessment is now due and must be paid by cash, check, money order, or bonded. Assessments under $100.00 cannot be bonded.

DUE ON OR BEFORE 10/6/2006

*Delinquent fees will be added after the due date.

PROJECT TYPE	# OF UNITS	UNIT COST	ASSESSED AMOUNT	MISC. CHARGES	ADJUSTMENT	TOTAL
$ - DEL INTER	1.00	$8.80000000	$8.80	$0.00	$0.00	$8.80
H - DRIVE AP	5.60	$22.48000000	$125.89	$0.00	$0.00	$125.89
E - WALKS	36.50	$11.01000000	$401.87	$0.00	$0.00	$401.87

Please Pay This Amount **$536.55**

This is a VALID RECEIPT WHEN STAMPED PAID BY COLLECTING OFFICER. Please see that descriptions are correct. When paying by mail, this statement must be returned with a self-addressed, stamped envelope if a receipt is desired.

PHONE: 427-1105 **Make Check Payable To: CITY OF FORT WAYNE BARRETT LAW**

Waiver and Demand of Property Owners

The undersigned against whose real estate an assessment was made on the above approved date according to Barrett No. 30213R, per description given in consideration for having the right to pay said assessments in installments, hereby agree each for himself that he will not make any objections to said assessments for illegality or irregularity, and that he will pay the same at 5.00% interest thereon.

Any property owner who has signed a waiver to pay his/her assessment in deferred installments may, at any time, pay up his/her entire assessment, on the condition that he/she at the same time, pay all interest due on a minimum of the first 1/5 of the installments and the balance of principal due.

If any account is six months or more delinquent, the total assessment (all installments of principal and interest) are considered to be in default and the entire account will be certified to the Allen County Auditor for tax sale before June 1st. of the calendar year following delinquency.

PLEASE SELECT ONE OF THE FOLLOWING OPTIONS

ONE PAYMENT PER YEAR FOR 10 YEARS _____ ONE PAYMENT PER MONTH FOR 10 YEARS X

If you wish to bond this assessment and return waiver by mail, you must sign this "waiver" section by the above due date. Signatures of all recorded property owners are required and must be notarized if mailed. If the waiver is signed by at least one owner and witnessed in the Barrett Law Office, notarization is not required; however, all owner's signatures must be on the waiver.

Signature: Tanya R Branstrator

Signature: Tanya K BRANSTRATOR

Installment notices to be mailed to: 8106 Park State Dr
Ft Wayne, In 46815

Subscribed and sworn before me this 3rd day of December 20 06

Gayle Baldwin Gayle Baldwin
PRINTED NAME OF NOTARY NOTARY'S SIGNATURE

Kosciusko My Commission Expires 9/18/14
COUNTY OF RESIDENCE

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 6, 2006

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $3,476.00 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Nowak Supply Co., Inc.	PR #40	3,476.00
Total for Payment Requests		**$ 3,476.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 6 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 6, 2006

RE: 2006 Street Department Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $327,658.00 to be paid from the proceeds of the 2006 Street Department Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

Selking International	PR #2	214,275.00
WA Jones	PR #2	89,302.00
WA Jones	PR #3	24,081.00
	Total for Payment Requests	**$ 327,658.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 6, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 6, 2006

RE: 2006 Fort Wayne Municipal Building Corp - Public Safety Academy

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $27,226.06 to be paid from the proceeds of the 2006 FWMBC - Public Safety Academy which are held in an escrow at LaSalle Bank.

Schenkel Shultz	Req #11	22,688.98
Project Mgmt Resources	Req #11	4,537.08
	Total for Requests	**$ 27,226.06**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 6 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 6, 2006

RE: 2006 Financial System Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $9,366.92 to be paid from the proceeds of the 2006 Financial System Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

Tyler Technologies	PR #4	9,366.92
	Total for Payment Requests	**$ 9,366.92**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 6, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 6, 2006

RE: 2006 Fire Truck Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $752,155.00 to be paid from the proceeds of the 2006 Fire Truck Lease Financing which are held in an escrow at JP Morgan Trust Company.

American LaFrance	Req #2	717,260.00
OEM Micro Solutions		34,895.00
	Total for Request	**$ 752,155.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 6, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 6, 2006

RE: 2006 Computer Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $22,349.04 to be paid from the proceeds of the 2006 Computer Lease which are held in an escrow account at Wells Fargo Corporate Trust Services.

Graybar	PR #16	1,208.94
DELL Marketing	PR #16	15,866.84
ASAP	PR #16	4,629.30
DISYS	PR #16	643.96
	Total for Payment Request	**$ 22,349.04**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 6, 2006
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 13, 2006

RE: 2006 Fort Wayne Municipal Building Corp - Public Safety Academy

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,250,263.31 to be paid from the proceeds of the 2006 FWMBC - Public Safety Academy which are held in an escrow at LaSalle Bank.

Hagerman, Inc.	Req #12	1,250,263.31
	Total for Requests	**$ 1,250,263.31**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 13, 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: December 5, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 259,170.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742, Parkerdale Sanitary Sewer – W.O. 74750 and the WPCP Dechlorination Project – W.O. 75003.

Draw #79	Geiger Developing & Tower Bank	$ 154,903.00
Draw #80 & #82	CH2M Hill	70,030.00
Draw #81 & #83	Donohue & Assoc.	34,237.00
	Total SRF Payments	**$ 259,170.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 13 2006
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: December 11, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 1,436,810.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742 and the WPCP Dechlorination Project – W.O. 75003.

Draw #84	CH2M Hill	$ 49,712.00
Draw #85	Hagerman Inc.	248,627.00
Draw #86	Barton Malow Co. & National City Bank	1,138,471.00
	Total SRF Payments	**$1,436,810.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 20, 2006
Date

RECEIVED
DEC 12 2006
By

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: December 11, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2002**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 4,500.00** to be paid from 2002 State Revolving Funds. This expense is for the WPCP Headworks project – W.O. 74595.

Draw #155	Vulcan Industries	$ 4,500.00
Total SRF Payment		**$ 4,500.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 20 2006
Date

RECEIVED
DEC 12 2006
By

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: December 15, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 1,691,957.00** to be paid from 2005 State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project – W.O. 74742.

Draw #87	Barton Malow Co. & National City Bank	$ 1,691,957.00
	Total SRF Payments	**$ 1,691,957.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

December 20 2006
Date

A RESOLUTION APPROVING THE SHARING OF COST BETWEEN THE BOARD OF PUBLIC WORKS, CITY OF FORT WAYNE, INDIANA, AND CANTERBURY HIGH SCHOOL FOR THE CONSTRUCTION OF A FENCE ALONG THE TOWPATH TRAIL, PHASE III. #93-12-20-06-1

WHEREAS, the Board of Public Works has hired Brooks Construction to construct the Towpath Trail, Phase III, along the former Wabash & Erie Canal route; and

WHEREAS, Phase III of the Towpath Trail travels parallel to the southern property line of Canterbury High School; and

WHEREAS, Canterbury High School desires to have an 8 foot high chainlink fence to protect its property from trespassers and to control entry to its sporting events at the baseball diamond immediately adjacent to the Towpath Trail; and

WHEREAS, the Board of Public Works wishes to protect trail users from foul balls during sporting events; and

WHEREAS, Canterbury High School will provide a utility easement to the City of Fort Wayne for the Towpath Trail at no cost; and

WHEREAS, Canterbury High School obtained three quotes for this fence with R&C Fence being the lowest bid at $16,983.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1: The Board of Public Works agrees to pay half the cost of the fence up to $8,491.00 with Canterbury High School paying the remaining $8,492.00. The fence will be on Canterbury's private property and will be maintained by Canterbury High School.

SECTION 2: This Resolution shall be in full force and effect from and after its passage.

The City of Fort Wayne Board of Public Works:

Approves the construction of a fence to run parallel to the southern property line of Canterbury High School and Phase III of the Towpath Trail. Canterbury High School will contract with R&C Fence for $16,983 to construct this 8 foot high fence separating the Towpath Trail with Canterbury High School's property. The Board of Public Works will split the cost of the fence with Canterbury High School, the Board's share limited to $8,491.00.

Approved this 20th day of December, 2006

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Ryan P. Chasey, Member

ATTEST BY:

_____
Marilyn Huth, Clerk

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 93-12-20-06-2

RECOMMENDING RATE INCREASE FOR THE FORT WAYNE WATER POLLUTION CONTROL UTILITY

WHEREAS, pursuant to Indiana Code 36-9-23-25, the Common Council of the City of Fort Wayne Indiana has enacted a User Charge System and a Sewer Use Ordinance as contained in Chapter 51 of the Fort Wayne Code of Ordinances; and

WHEREAS, the Fort Wayne Code of Ordinances calls for an annual review of the Water Pollution Control Utility's current service charges and surcharges by the Board of Public Works to determine whether said charges provide sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including the cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility operation; and

WHEREAS, State law (I.C. 8-1.5-38) states that rates and charges of municipally owned utilities are unlawful if they are too low to produce income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient services, and

WHEREAS, the Water Pollution Control Plant requires significant improvements as documented in Fort Wayne's Long Term Control Plan proposal and Utility Facilities Plan, including a multi-year program for equipment rehabilitation, replacement and treatment system improvements totaling more than $50 million, as well as upgrades to the secondary treatment facilities and the CSO control ponds; and

WHEREAS, the Water Pollution Control Utility also has plans for investments in high value combined sewer system projects, capacity building in the sanitary sewer interceptors for future economic growth and development and a continuation of pipeline rehabilitation work; and

WHEREAS, the Plant, sewer capacity and water quality capital projects have been incorporated into a long-term plan for sewer improvements -- the first five years of which are included in the Sewer Capital Improvement Program; and

WHEREAS, upon review of the Sewer Capital Improvement Program, the Board of Public Works of the City of Fort Wayne, In accordance with I.C. 36-9-23-25 and Section 51.079 of the Fort Wayne Code of Ordinances, now finds that existing rates and charges for the use of and services rendered by the Water Pollution Control Utility do not provide sufficient revenue to:

(a) Pay all expenses incidental to the operation of the sewage works as defined in 36-9-1-8 , including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations; and

(b) Provide the sinking fund required by I.C. 36-9-23-21 for proposed debt; and

(c) Provide adequate money for improving and replacing the works, specifically those projects that will contribute toward combined sewer system improvements and treatment plant improvements; and

WHEREAS, a rate increase of 25% in retail treatment, conveyance and local capital rates and a 25% increase in the wholesale treatment rate and a 16.6% increase in wholesale conveyance rates is needed to fund the sewer CIP projects for the next two years and meet the requirements of I.C. 36-9-23-25.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Board of Public Works of the City of Fort Wayne, Indiana deems it in the best interest of the Fort Wayne Water Pollution Control Utility, in order to provide income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service to its users while implementing requirements of the EPA and the Utility's approve Capital Improvements Plan, that the sewage rate charged to all retail user classes be increased by 25% , that the treatment rate charged to wholesale contract customers be increased by 25% and that the variable conveyance charge for wholesale contract customers be set according to "Exhibit A" attached; and
2. The Board of Public Works recommends that the Common Council of the City of Fort Wayne, Indiana amend Chapter 51 of the Fort Wayne Code of Ordinances in order to reflect these increases in sewer service rates charged to all users of the Fort Wayne Water Pollution Control Utility.

Approved this 20th day of December, 2006.

FORT WAYNE, INDIANA
BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Ryan P. Chasey, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

"EXHIBIT A"

City Utilities
Contract Sewage Treatment Charges

Rates: Treatment and Variable

Allen County Regional Water and Sewer District		
Arcola		
	Treatment	104.50
	Capital, Collection & Conveyance	102.85
	Total Per 100 CU FT	207.35
Canyon Run		
	Treatment	104.50
	Capital, Collection & Conveyance	26.00
	Total Per 100 CU FT	130.50
Hessen Cassel		
	Treatment	104.50
	Capital, Collection & Conveyance	11.23
	Total Per 100 CU FT	115.73
Mayhew		
	Treatment	104.50
	Capital, Collection & Conveyance	221.30
	Total Per 100 CU FT	325.80
Muldoon		
	Treatment	104.50
	Capital, Collection & Conveyance	93.73
	Total Per 100 CU FT	198.23
Grabill		
	Treatment	104.50
	Capital, Collection & Conveyance	28.80
	Total Per 100 CU FT	133.30
Huntertown		
	Treatment	104.50
	Capital, Collection & Conveyance	29.05
	Total Per 100 CU FT	133.55
Institutional Power Plant of Allen County		
	Treatment	130.64
	Capital, Collection & Conveyance	172.71
	Total Per 100 CU FT	303.35

Leo-Cedarville		
	Treatment	104.50
	Capital, Collection & Conveyance	28.80
	Total Per 100 CU FT	133.30
Maysville Regional Sewer District		
	Treatment	104.50
	Capital, Collection & Conveyance	28.80
	Total Per 100 CU FT	133.30
New Haven		
	Treatment	104.50
	Capital, Collection & Conveyance	2.22
	Total Per 100 CU FT	106.72
Zanesville		
	Treatment	104.50
	Capital, Collection & Conveyance	37.94
	Total Per 100 CU FT	142.44

2007 City Utilities Budget
Stormwater

Recommended By:

Greg Meszaros
Director of Utilities

Approved by Board of Stormwater Management:

Greg Meszaros
Board of Stormwater Management

Date: December 20, 2006

Regina A. Kostoff, Chair
Board of Stormwater Management

Date: December 20, 2006

John Suarez, Member
Board of Stormwater Management

Date: December 20, 2006

Attested By:

Marilyn Huth, Clerk

Date: December 20, 2006

Approved by:

Graham A. Richard, Mayor

Date: 12-21-06

City Utilities
BUDGET 2007
Financial Highlights
Years ending December 31

	Amounts ($ millions)		
	Budget 2006	**Submitted 2007**	**% incr (decr)**
Operating Revenues			
Water	$27.104	$30.422	12.2%
Wastewater	$29.350	$34.842	18.7%
Storm	$9.447	$9.447	0.0%
Electric	1.750	1.750	0.0%
Yard	0.120	0.120	0.0%
Total Operating Revenues	**$67.771**	**$76.581**	**13.0%**
Budgeted Expenses			
Water	$15.604	$16.084	3.1%
Wastewater	13.581	14.570	7.3%
Storm	2.068	2.168	4.8%
Electric	0.000	0.153	0.0%
Yard	0.130	0.130	0.0%
Admin	9.878	10.266	3.9%
Total Budgeted Expenses	**$41.261**	**$43.371**	**5.1%**
Capital Spending:			
Operating Cash			
Water	$8.335	$6.041	
Wastewater	13.839	7.628	
Stormwater	3.638	5.012	
Sub-Total (Revenue)	25.812	18.681	-27.6%
Bonds & Other Funding			
Water	8.878	22.200	
Wastewater	28.629	29.915	
Stormwater	9.420	11.438	
Sub-Total (Other Funding)	46.927	63.553	35.4%
Total Capital Budget	**$72.739**	**$82.234**	**13.1%**

* Budget Packages containing details are available from City Utilities' Financial Serviced Dept

2007 City Utilities Budget
Water, Sewer, Electric and Yard

Recommended By:

Greg Meszaros
Director of Utilities

Approved by Board of Public Works:

Regina A. Kostoff, Chair
Board of Public works

Date: December 20, 2006

Ryan P. Chasey, Member
Board of Public Works

Date: December 20, 2006

John Suarez, Member
Board of Public Works

Date:

Attested By:

Marilyn Huth, Clerk

Date: December 20, 2006

Approved by:

Graham A. Richard, Mayor

Date: 12/21/06